

**CITY OF NEWPORT BEACH  
PLANNING COMMISSION STAFF REPORT**

April 7, 2011 Meeting  
Agenda Item 2

**SUBJECT:** North Newport Center Planned Community Amendment - (PA2011-017)  
800, 840, 860, 880 Newport Center Drive

- Planned Community Development Amendment No. PD2011-001
- Code Amendment No. CA2011-004

**APPLICANT:** Irvine Company

**PLANNER:** Fern Nueno, Assistant Planner  
(949) 644-3227, [fnueno@newportbeachca.gov](mailto:fnueno@newportbeachca.gov)

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**PROJECT SUMMARY**

A planned community development plan amendment to incorporate the Block 800 Newport Center Planned Community (PC-23) into the North Newport Center Planned Community (PC-56) and a code amendment to change the zoning classification of this property from PC-23 to PC-56. Additionally, the proposed amendment includes revisions to the sign and lighting standards within the PC-56 Development Plan.

**RECOMMENDATION**

- 1) Conduct a public hearing; and
- 2) Adopt Resolution No. \_\_\_\_ recommending City Council approval of Planned Community Development Plan Amendment No. PD2011-001 and Code Amendment No. CA2011-004 (Attachment No. PC 1).

**INTRODUCTION**

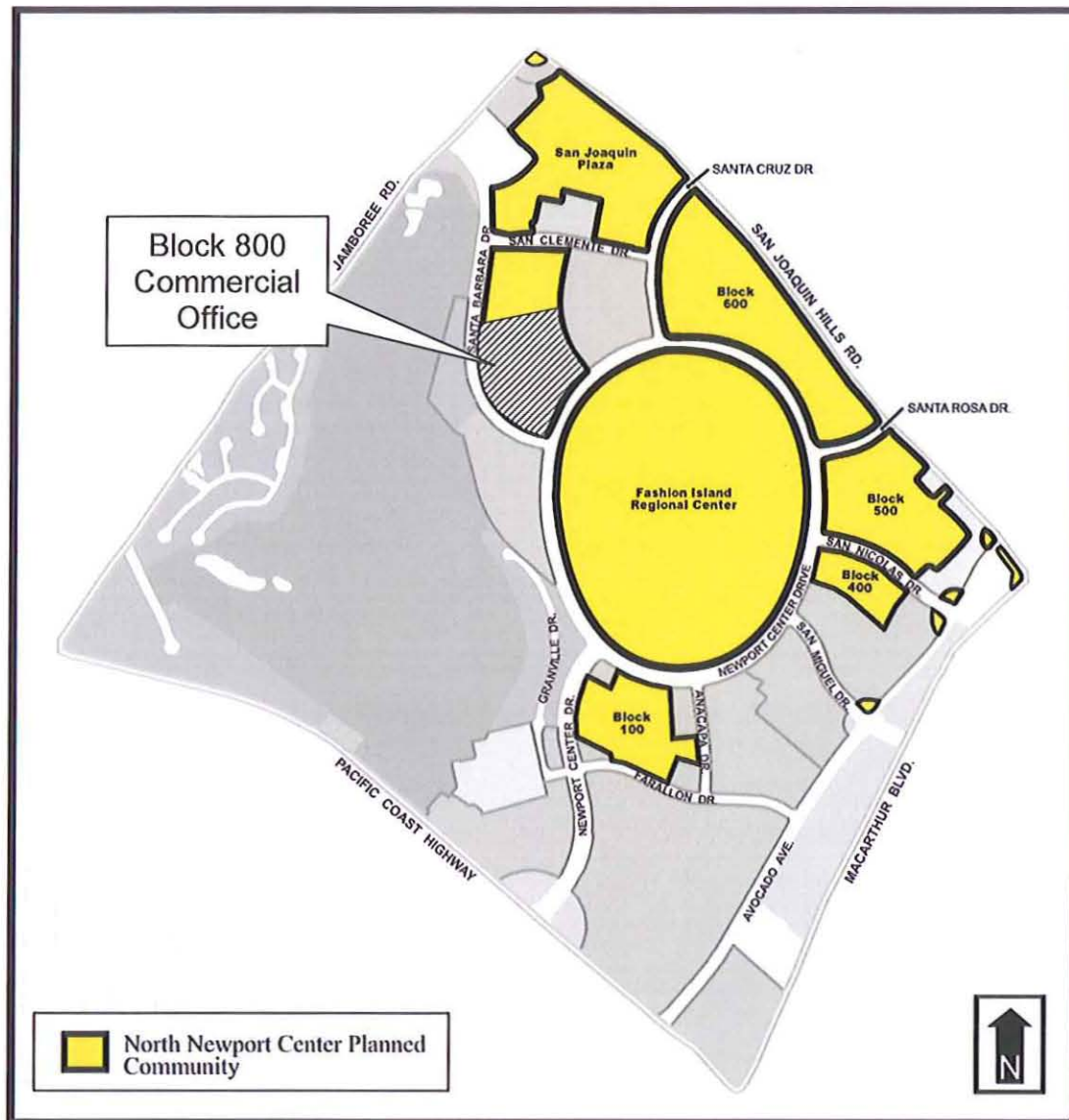
**Project Setting**

The North Newport Center Planned Community (PC-56) is located in Newport Center and encompasses a regional center of business and commerce that includes major retail, administrative, medical and professional office, entertainment, recreation, and residential uses. PC-56 currently consists of Fashion Island, a portion of Block 100, a portion of Block 400, a portion of Block 500, Block 600, a portion of San Joaquin Plaza, and a portion of Block 800 (Colony Apartments). The proposed Planned Community Development Plan amendment would incorporate the southerly commercial portion of Block 800 into the North Newport Center Planned Community.

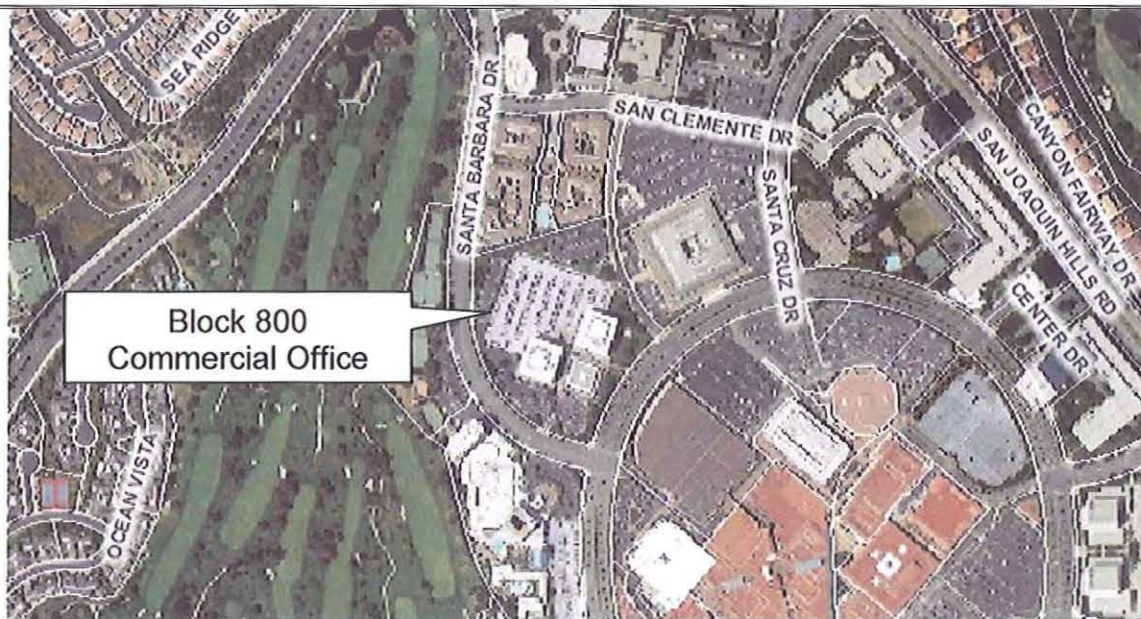
Fashion Island (approximately 75 acres), located to the southeast of Block 800 Commercial Office is developed with a regional shopping center consisting of anchor

department stores, retail stores, restaurants, and a cinema. Other blocks within Newport Center are developed with office buildings, hotels, surface parking, parking structures, and landscaped open space.

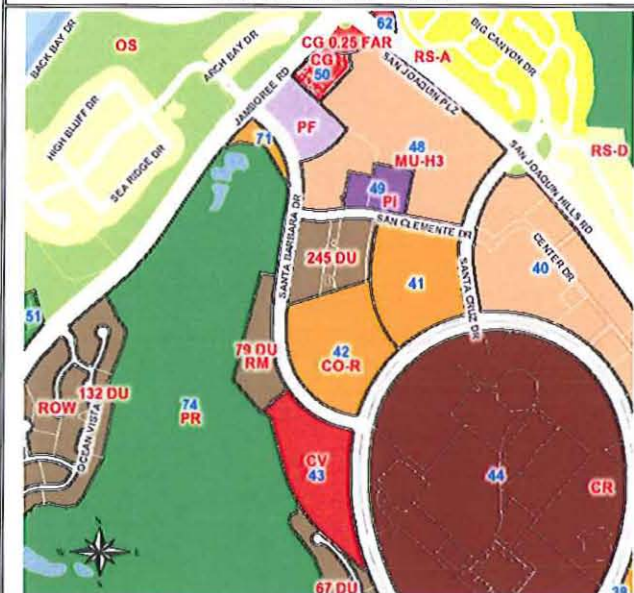
Proposed PC-56 Boundaries



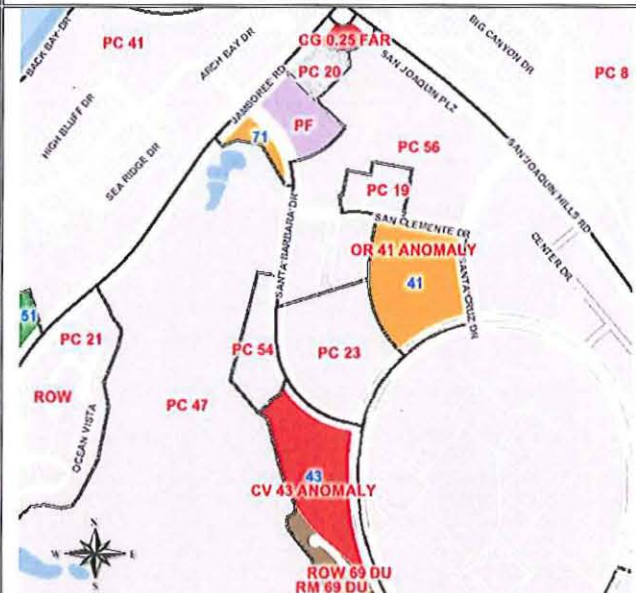
**VICINITY MAP**



**GENERAL PLAN**



**ZONING**



LOCATION	GENERAL PLAN	ZONING	CURRENT USE
ON-SITE	Regional Commercial Office (CO-R)	Planned Community (PC-23)	Pacific Financial Plaza office uses with ancillary restaurant uses
NORTH	Multiple Unit Residential (RM)	Planned Community (PC-56)	Multi-unit residential
SOUTH	Visitor Serving Commercial (CV)	Commercial Visitor Serving (CV)	Hotel
EAST	Regional Commercial Office (CO-R) and Regional Commercial (CR)	Office Regional Commercial (OR) and Planned Community (PC-56)	Office, restaurant, retail, and service uses
WEST	Multiple Unit Residential (RM) and Parks and Recreation (PR)	Planned Community (PC-54) and Planned Community (PC-47)	Residential and golf course



### Project Description

The applicant proposes an amendment to the North Newport Center Planned Community (PC-56) to incorporate in its entirety the Block 800 Newport Center Planned Community (PC-23). The applicant also proposes a code amendment to change the Zoning designation of the subject property from PC-23 to PC-56. The PC-23 Development Plan would be rescinded if this application is approved. The proposed project also includes a revision to a sign and a lighting standard within the PC-56 Development Plan regarding landscape wall signs and minimum foot-candle illumination, respectively. The sign standard revision would add a definition of what is considered a landscape wall sign. The lighting revision would change the foot-candle minimum to an average. If approved, Block 800 would have two distinct areas: Block 800 Residential (The Colony that is currently within PC-56) and Block 800 Commercial Office (the subject property that contains Pacific Financial Plaza). No construction or changes in use are proposed with this application.

### Background

On December 18, 2007, the City Council adopted the North Newport Center Planned Community Development Plan and Design Regulations.

On July 22, 2008, the City Council approved the conversion of 72,000 square feet allocated for the Block 500 City Hall site to general office and the transfer of approximately 24,428 square feet of development rights from Block 600 to Block 500.

On August 7, 2008, the Planning Commission found that a traffic study for the proposed development of 96,428 square feet of office space in Block 500 complied with the Traffic Phasing Ordinance.

On February 24, 2009, the City Council conducted the first annual review of the North Newport Center Development Agreement and found that Irvine Company had complied in good faith with terms and conditions of the Development Agreement during the review period.

On November 24, 2009, the City Council approved the first amendment to the PC-56 Development Plan incorporating properties located in Block 100, Block 400, Block 800, and at the southwest corner of San Joaquin Hills Road and MacArthur Boulevard into the North Newport Center Planned Community (PC-56).

On March 23, 2010, the City Council conducted an annual review of the North Newport Center Development Agreement and found that Irvine Company had complied in good faith with terms and conditions of the Development Agreement during the review period.

## **DISCUSSION**

### **Analysis**

Land use and property development on the subject property are currently regulated by the Planned Community Development Plan for Block 800 Newport Center (PC-23). These regulations have been translated and incorporated into the draft North Newport Center Planned Community Development Plan and Design Regulations (Attachment No. PC 2). The objective is to have no substantial increase in range of allowed land uses and no increase in development intensity.

### ***Development Standards***

The development standards and permitted uses for Block 800 Commercial Office would remain substantially the same with this proposed amendment. The height limit for the subject property would remain at 125 feet. The PC-23 regulations do not establish setback requirements. Instead the development plan limits construction per the previously approved site plan approved with the adoption of the PC-23 Development Plan. The applicant proposes a fifteen (15) foot setback standard from property lines abutting the streets and the interior lot line abutting the residential property, consistent with the PC-56 standards for other blocks. The maximum floor area allowed would not increase and is limited by the General Plan. The permitted uses would remain generally the same with office uses permitted by right and limited commercial uses as accessory or by use permit. The parking requirements would remain unchanged and would be regulated by the Zoning Code. The following table provides a comparison of development and use standards.

Comparison Table

	Block 800 PC-23	North Newport Center PC-56
Height	125' above pad	125' from finished grade
Setbacks	Per previously approved plan	15' from streets and from residential interior lot line
Maximum Floor Area	286,166 square feet total Restaurants are limited to 13,200 gross square footage and 6,000 square feet of net public area	286,166 square feet total Restaurants require a Minor Use Permit
Permitted Uses	Office, ancillary retail, restaurant/bar with Conditional Use Permit, parking lot, car wash	Bank, office, ancillary day care, ancillary retail, ancillary personal services , and the following with a UP/MUP: drive through at bank, public safety facilities, commercial recreation and entertainment, cultural and institutional, day spas, bars and restaurants with alcohol sales, visitor accommodations
Parking	Per Newport Beach Zoning Code	Per Newport Beach Zoning Code

### *Sign Standards*

The proposed amendment to the PC-56 Development Plan includes a revision to the sign standards within Table 7, Sign Type D. Sign Type D are signs mounted on landscape walls. The revision adds a definition of the sign type to include ground mounted signs in front of landscaping and landscape walls. Previously, only signs mounted on a landscape wall would fall under this sign type category. This change would allow monument signs located in front of landscaping or landscape walls to be included in this sign type. An example of a landscape wall sign is included as Attachment No. PC 3.

### *Lighting Standards*

The proposed amendment to the PC-56 Development Plan includes a revision to the lighting standards. The existing standard requires that a minimum 0.5 foot-candle be maintained within certain parking and walkway areas. The proposed revision would require a minimum *average* 0.5 foot-candle.

### *General Plan*

The Land Use Element category for the subject portion of Block 800 is Regional Commercial Office (CO-R). The CO-R designation is intended to provide for administrative and professional offices that serve local and regional markets, with limited accessory retail, financial, service, and entertainment uses. The proposed land use regulations for Block 800 Commercial are consistent with this land use designation because business, government, and professional offices are permitted by right and other land uses are either limited to accessory uses or are regulated by use permits. Block 100 and Block 400 are also within the General Plan land use category CO-R, and the proposed permitted land uses for Block 800 Commercial Office are consistent with the permitted land uses for Blocks 100 and 400. The development intensity for Block 800 Commercial Office is limited to 286,166 square feet, which is consistent with Anomaly No. 42 designated within the General Plan for the subject portion of Block 800.

### *Airport Environs Land Use Plan*

North Newport Center is located within the Planning Area for John Wayne Airport in the Airport Environs Land Use Plan (AELUP). The Airport Land Use Commission (ALUC) has found the City of Newport Beach to be a consistent agency with the AELUP. However, the AELUP requires that zone changes for consistent agencies be referred to the ALUC for a determination prior to City action. The proposed amendments will be forwarded to the ALUC, and a hearing will be scheduled prior to the City Council meeting if the Planning Commission recommends approval of the project.

### Summary

The proposed amendments are consistent with the General Plan and will facilitate land use administration of future projects within Block 800 Commercial Office and the entirety of the North Newport Center Planned Community. The proposed changes to the development standards and permitted uses are appropriate and will not be detrimental to the community.

### Alternatives

The Planning Commission may recommend approval of a modified project to the City Council or deny the application. If an amendment is denied, no further action is taken, unless appealed to the City Council.

### Environmental Review

This action is covered by the general rule that the California Environmental Quality Act (CEQA) applies only to projects that have the potential for causing a significant effect on the environment (Section 15061.b.3 of the CEQA Guidelines). It can be seen with certainty that there is no possibility that this activity will have a significant effect on the environment. Therefore, this activity is not subject to CEQA. The proposed project incorporates the Block 800 Newport Center Planned Community into the North Newport Center Planned Community with only minor changes to development standards and allowed uses. No construction is proposed with this application.

### Public Notice

Notice of this hearing was published in the Daily Pilot and mailed to property owners within 300 feet of the property consistent with the Municipal Code. Additionally, the item appeared upon the agenda for this meeting, which was posted at City Hall and on the city website.

Prepared by:

  
Fern Nueno, Assistant Planner

Submitted by:

  
Gregg Ramirez, Senior Planner

### ATTACHMENTS

PC 1 Draft Resolution

PC 2 Redlined changes to the Planned Community Development Plan

PC 3 Landscape wall sign example

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# **Attachment No. PC 1**

Draft Resolution



**RESOLUTION NO. \_\_\_\_**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF NEWPORT BEACH RECOMMENDING CITY COUNCIL APPROVAL OF AN AMENDMENT TO THE NORTH NEWPORT CENTER PLANNED COMMUNITY DEVELOPMENT PLAN (PD2011-001) AND A CODE AMENDMENT (CA2011-004) TO CHANGE THE ZONING CLASSIFICATION FROM PC-23 TO PC-56 FOR PROPERTY LOCATED AT 800, 840, 860, AND 880 NEWPORT CENTER DRIVE (PA2011-017)**

THE PLANNING COMMISSION OF THE CITY OF NEWPORT BEACH HEREBY FINDS AS FOLLOWS:

**SECTION 1. STATEMENT OF FACTS.**

1. An application was filed by Irvine Company, with respect to property located at 800, 840, 860, and 880 Newport Center Drive and legally described as Parcel 1 of Resubdivision 0612 requesting approval of a Planned Community Development Plan Amendment and a Zoning Code Amendment.
2. The applicant proposes an amendment to the North Newport Center Planned Community (PC-56) to incorporate in its entirety the Block 800 Newport Center Planned Community (PC-23). The applicant also proposes a code amendment to change the Zoning designation of the subject property from PC-23 to PC-56. The PC-23 Development Plan would be rescinded if this application is approved. The proposed project also includes a revision to a sign standard within the PC-56 Development Plan regarding landscape wall signs and a revision to lighting standards.
3. The subject property is located within the Block 800 Newport Center Planned Community (PC-23) Zoning District and the General Plan Land Use Element category is Regional Commercial Office (CO-R).
4. The subject property is not located within the coastal zone.
5. A public hearing was held on April 7, 2011, in the City Hall Council Chambers, 3300 Newport Boulevard, Newport Beach, California. A notice of time, place and purpose of the meeting was given in accordance with the Newport Beach Municipal Code. Evidence, both written and oral, was presented to, and considered by, the Planning Commission at this meeting.

**SECTION 2. FINDINGS.**

1. The Planned Community Development Plan Amendment, with the recommended text changes, is consistent with and implements the Land Use Element of the General Plan as the proposed land use regulations are consistent with the Regional Commercial Office (CO-R) land use category designated on the subject property.

2. The Planned Community Development Plan Amendment, with the recommended text changes, is consistent with Chapter 20.56 of the Municipal Code (Planned Community District Procedures), which establishes the requirements of a Planned Community Development Plan.
3. The Planned Community Development Plan Amendment, with the recommended text changes, will not increase the intensity or density of allowed land uses or change the types of allowable uses in the subject portion of Block 800.
4. The subject portion of Block 800 is fully developed and the applicant does not seek any further entitlements through this Planned Community Development Plan Amendment or Code Amendment.
5. The proposed development standards are adequate and appropriate for use and development of Block 800 and would not be detrimental to the Newport Center environs.

### SECTION 3. CALIFORNIA ENVIRONMENTAL QUALITY ACT DETERMINATION.

1. This action is covered by the general rule that the California Environmental Quality Act (CEQA) applies only to projects that have the potential for causing a significant effect on the environment (Section 15061.b.3 of the CEQA Guidelines). It can be seen with certainty that there is no possibility that this activity will have a significant effect on the environment. Therefore, this activity is not subject to CEQA.
2. The proposed project incorporates the Block 800 Newport Center Planned Community into the North Newport Center Planned Community with only minor changes to development standards and allowed uses. This action will not increase the allowable development intensity. No construction is proposed with this application.
3. *Muzzy Ranch v. Solano County Airport Land Use Commission* (2007) 41 Cal.4th 372, 389th California Supreme Court held that the CEQA common sense exemption applied to the approval of a land use compatibility plan that merely extended existing land use restrictions to a greater geographical area.
4. The Planning Commission finds that judicial challenges to the City's CEQA determinations and approvals of land use projects are costly and time consuming. In addition, project opponents often seek an award of attorneys' fees in such challenges. As project applicants are the primary beneficiaries of such approvals, it is appropriate that such applicants should bear the expense of defending against any such judicial challenge, and bear the responsibility for any costs, attorneys' fees, and damages which may be awarded to a successful challenger.

Therefore, to the fullest extent permitted by law, applicant and property owner shall defend, indemnify, release and hold harmless the City, its City Council, its boards and commissions, officials, officers, employees, and agents from and against any and all claims, demands, obligations, damages, actions, causes of action, suits, losses,

judgments, fines, penalties, liabilities, costs and expenses (including without limitation, attorney's fees, disbursements and court costs) of every kind and nature whatsoever which may arise from or in any manner relate (directly or indirectly) to the project, the project's approval based on the City's CEQA determination and/or the City's failure to comply with the requirements of any federal, state, or local laws, including, but not limited to, CEQA, General Plan and zoning requirements. This indemnification shall include, but not be limited to, damages awarded against the City, if any, costs of suit, attorneys' fees, and other expenses incurred in connection with such claim, action, or proceeding whether incurred by applicant, City, and/or the parties initiating or bringing such proceeding.

#### SECTION 4. DECISION.

#### NOW, THEREFORE, BE IT RESOLVED:

1. The Planning Commission of the City of Newport Beach hereby recommends City Council approval to rescind PC-23, and approval of Planned Community Development Plan Amendment No. PD2011-001 and Zoning Code Amendment No. CA2011-004.

**PASSED, APPROVED AND ADOPTED THIS 7<sup>TH</sup> DAY OF APRIL, 2011.**

AYES:

NOES:

ABSTAIN:

ABSENT:

BY: \_\_\_\_\_  
Earl McDaniel, Chairman

BY: \_\_\_\_\_  
Michael Toerge, Secretary

## **Attachment No. PC 2**

Redlined changes to the Planned  
Community Development Plan



# North Newport Center Planned Community Development Plan

## Land Uses, Development Standards & Procedures

Adopted December 18, 2007, Ordinance No. 2007-20 (PA 2007-151)

Amended November 24, 2009, Ordinance No. 2009-28 (PA 2009-111)

Amended \_\_\_\_\_, 2011, Ordinance No. 2011-\_\_ (PA 2011-\_\_)

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## I. Introduction and Purpose of Development Plan

The North Newport Center Planned Community district is comprised of seven sub-areas that include Fashion Island, ~~and~~ Block 600 and Block 800 and portions of Block 100, Block 400, Block 500, ~~Block 800~~, and San Joaquin Plaza. The sub-areas that comprise North Newport Center shall be governed by the North Newport Center Planned Community (“PC”) Development Plan set forth herein, which includes land uses, development standards, and administration.

The City of Newport Beach Municipal Code allows a Planned Community Development Plan to address land use designations and regulations in Planned Communities. The North Newport Center PC Development Plan serves as the controlling zoning ordinance for the sub-areas identified in the Planned Community Development Plan and is authorized and intended to implement the provisions of the Newport Beach General Plan.

### A. Sub-Area Purpose

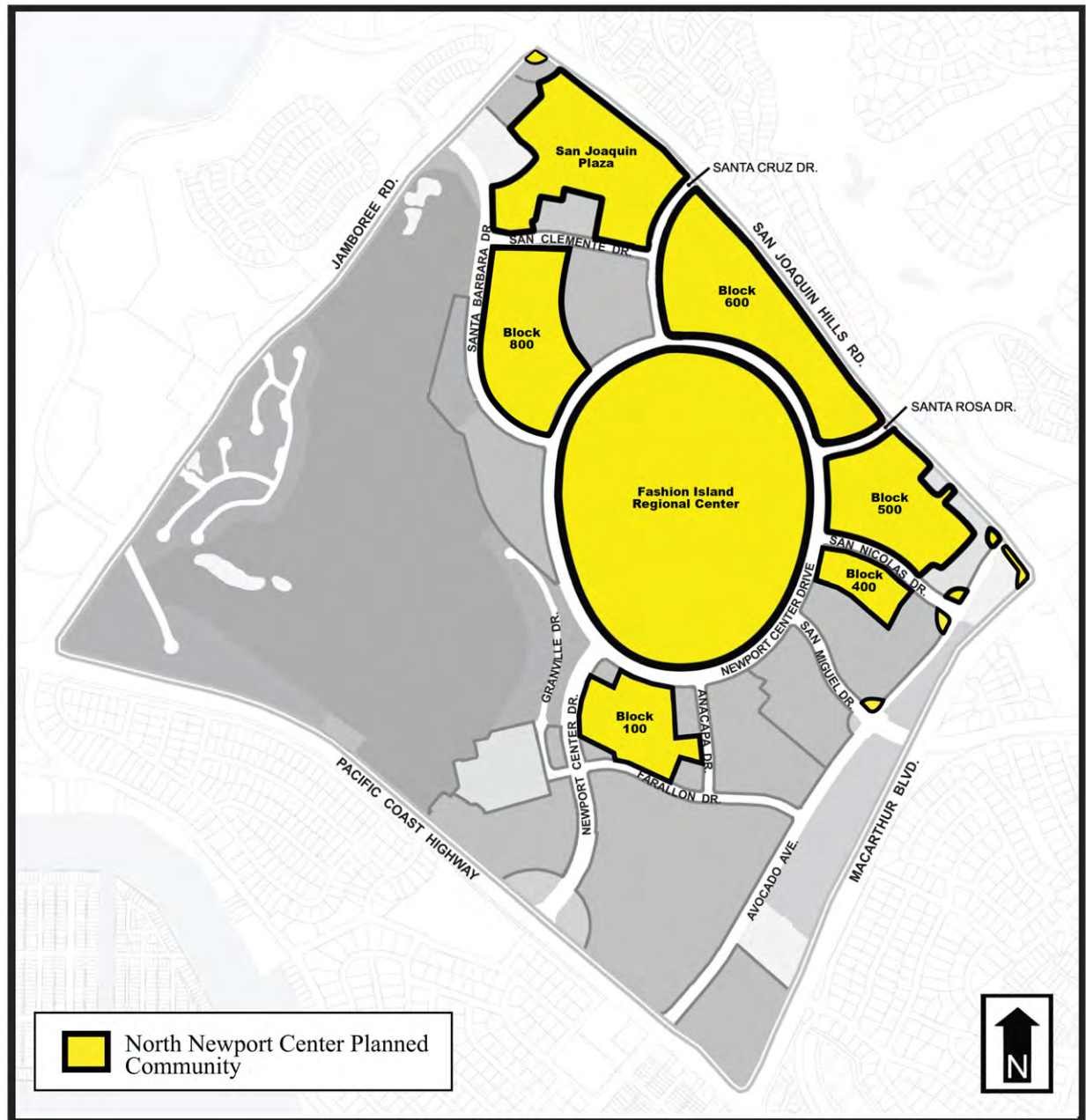
Newport Center is a regional center comprised of major retail, professional office, entertainment, recreation, and residential development within the City of Newport Beach. The North Newport Center site comprises approximately ~~169~~158.4 acres along San Joaquin Hills Road and Newport Center Drive. The seven sub-areas that make up the site including Fashion Island (75 acres), Block 100 (10 acres), Block 400 (4 acres), Block 500 (15 acres and a 0.4-acre open space area at the corner of MacArthur Boulevard and San Joaquin Hills Road), Block 600 (25 acres), Block 800 (~~176~~ acres), and San Joaquin Plaza (23 acres) are shown on Figure 1 and are described below.

The General Plan identifies the goal of creating a successful Mixed-Use district that integrates economic and commercial centers serving the needs of Newport Beach residents and the sub-region, with expanded opportunities for residential development.

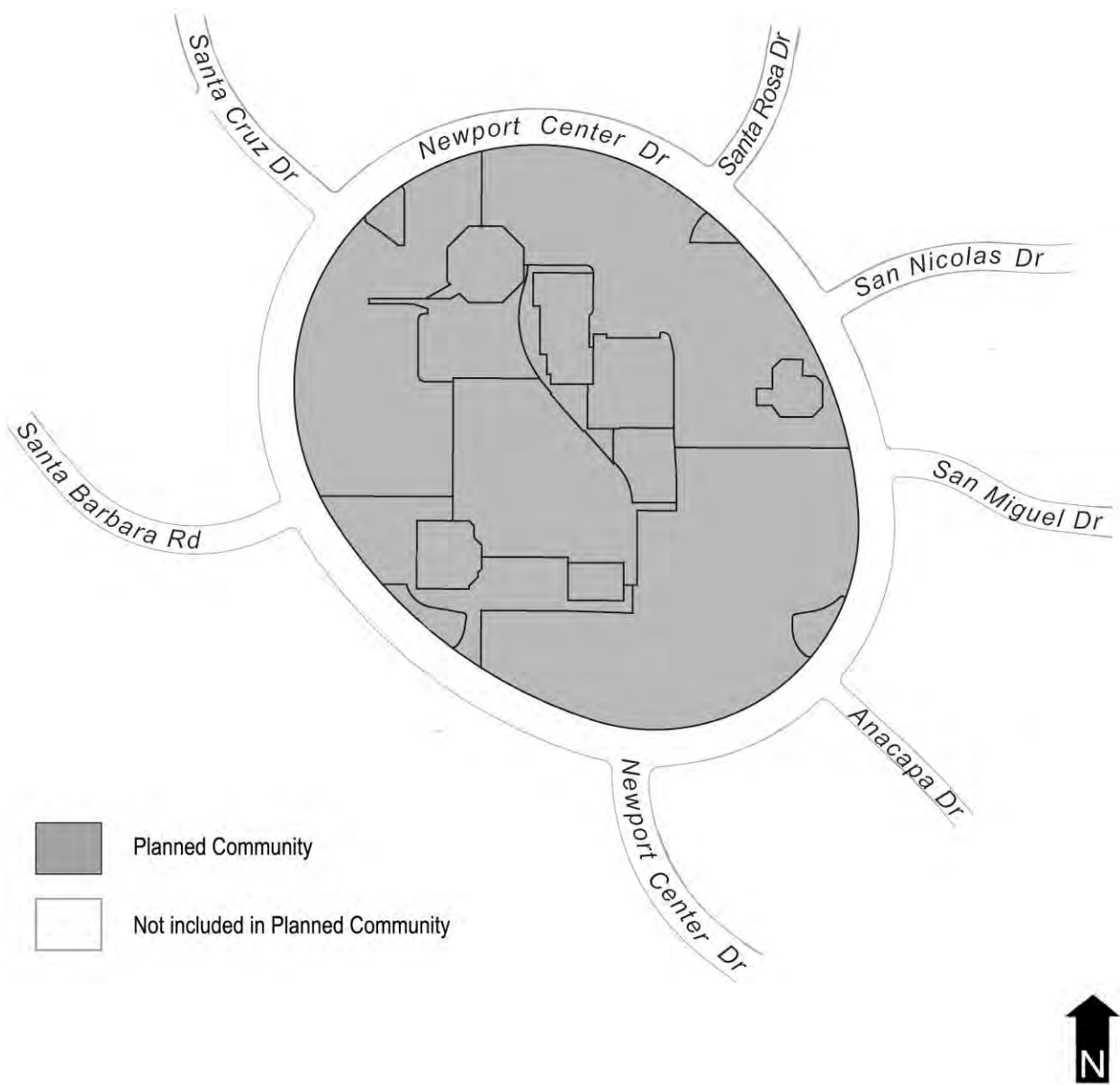
Fashion Island is the primary retail hub within Newport Center and is developed with retail, dining, and commercial entertainment uses. Permitted uses for Fashion Island include uses in support of the existing retail, dining, and commercial entertainment uses. Fashion Island is intended to be a vibrant regional retail and entertainment center and a day/evening destination with a wide variety of uses that will serve visitors, residents, and employees of the area. Figure 2, Fashion Island Sub-Area, shows the boundary of Fashion Island.

The Commercial Office blocks include Block 100 (Figure 3), ~~and~~ Block 400 (Figure 4) and a portion of Block 800 also referred to as Pacific Financial Plaza. Block 100 is generally comprised of administrative and professional offices that serve local and regional markets. Other uses permitted in the block include limited accessory retail, financial, service and entertainment uses. Block 400 is generally comprised of commercial office, with medical related offices and retail use. The Pacific Financial Plaza portion of Block 800 is generally comprised of commercial office and restaurant uses.

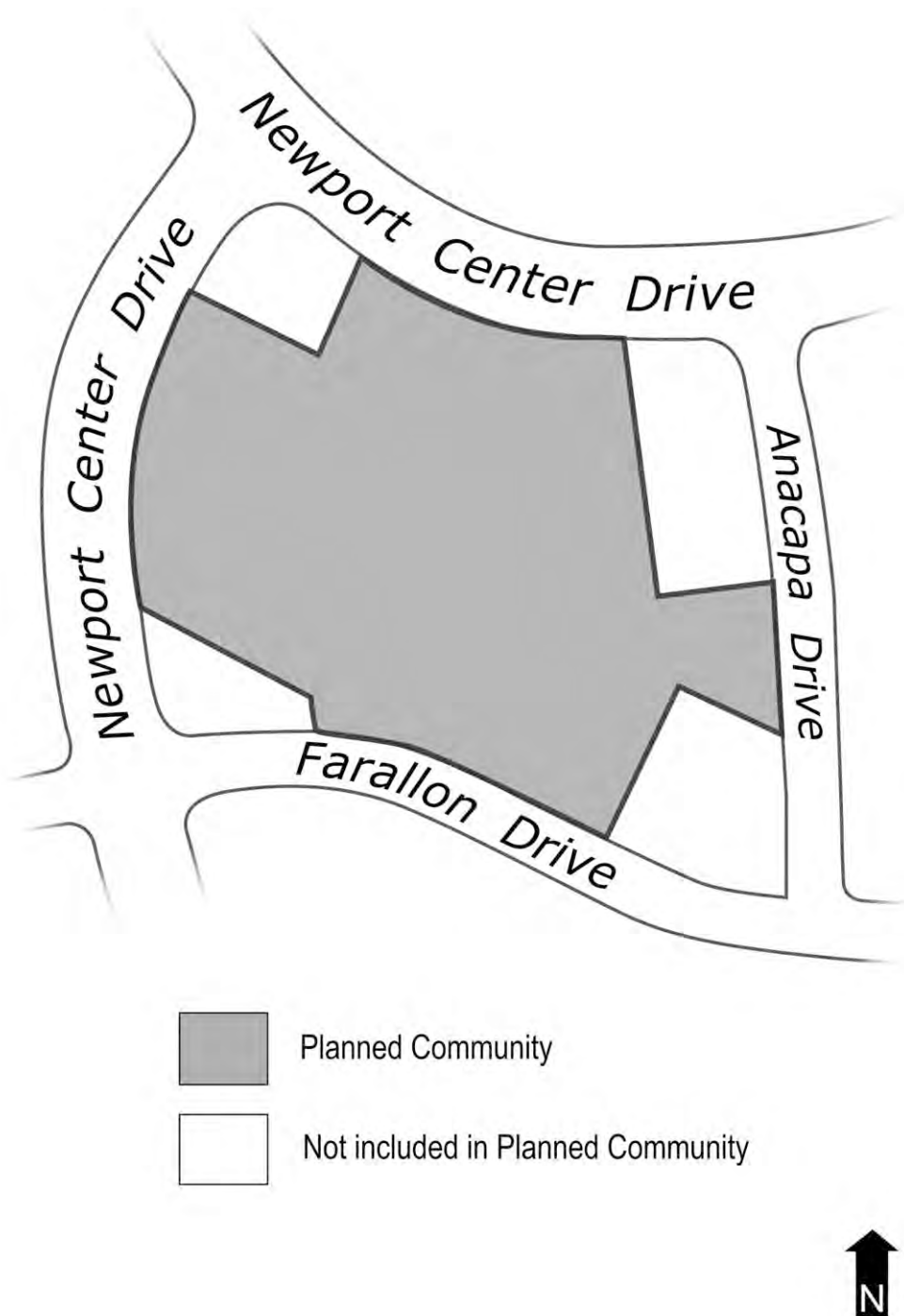
The Mixed-Use blocks include Block 500 (Figure 5), Block 600 (Figure 6), and San Joaquin Plaza (Figure ~~8~~7). The Mixed-Use blocks are generally composed of administrative, professional, and financial office uses. Block 600 contains hotel and related ancillary uses. This Development Plan allows for the diversification of land uses in order to encourage new and original uses consistent with the Mixed-Use concept as established in the General Plan. Permitted uses for the Mixed-Use blocks include offices, light general commercial, hotel, residential and other mixed uses in accordance with the General Plan MU-H3 land use designation. The residential portion of Block 800 (Figure ~~7~~8) allows for multi-family residential or senior citizen housing uses. While not categorized as a mixed-use area, Block 800 contains two distinct uses which are not interchangeable. The northern portion of Block 800 is designated for residential use and the southern portion is commercial office. The boundaries of the Mixed-Use blocks included in this Development Plan are shown in Figure 5, Block 500 Sub-Area, Figure 6, Block 600 Sub-Area, and Figure ~~8~~7, San Joaquin Plaza Sub-Area, respectively.



**Figure 1 – North Newport Center Planned Community**

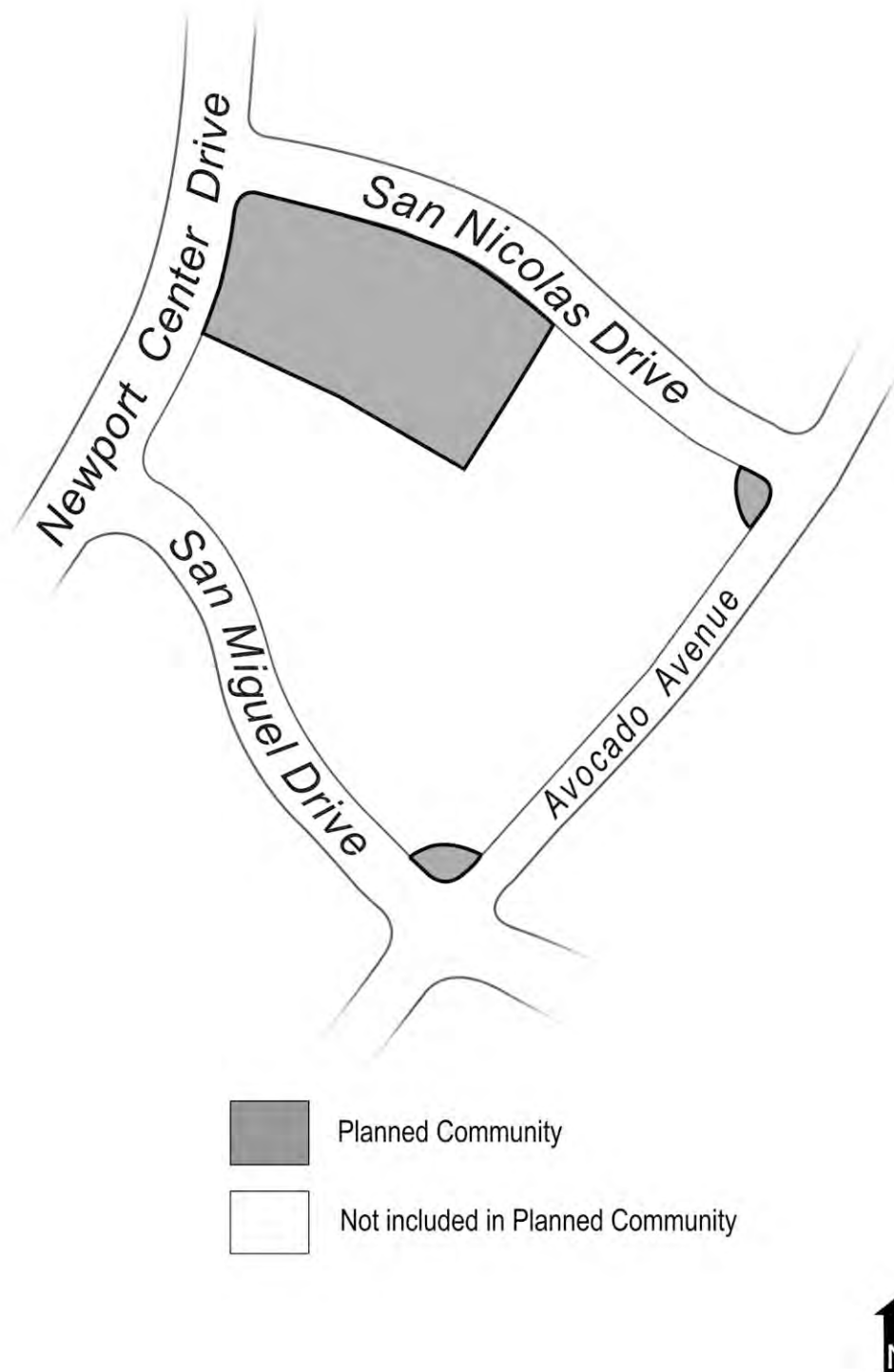


**Figure 2 – Fashion Island Sub-Area**

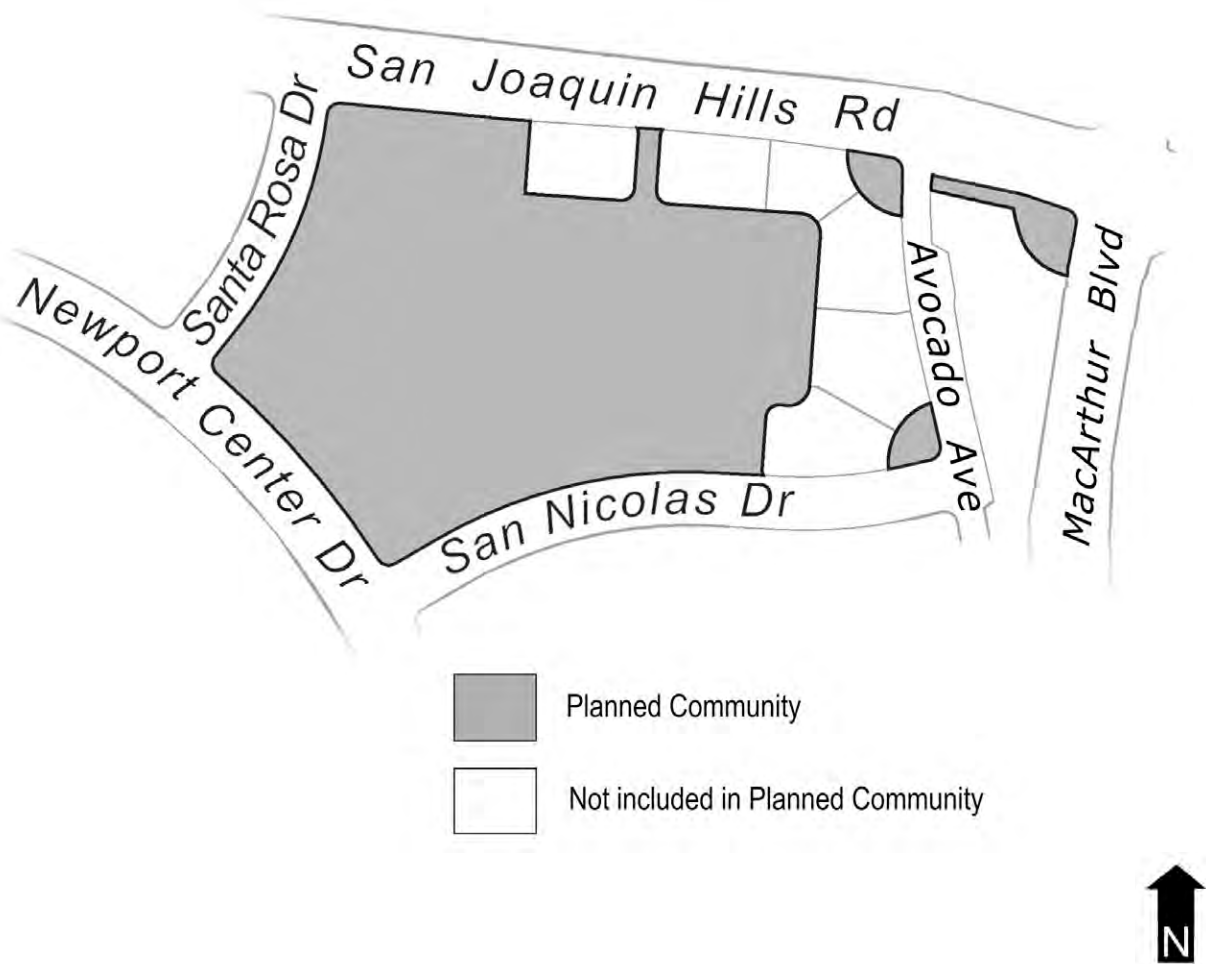


**Figure 3 – Block 100 Sub Area**

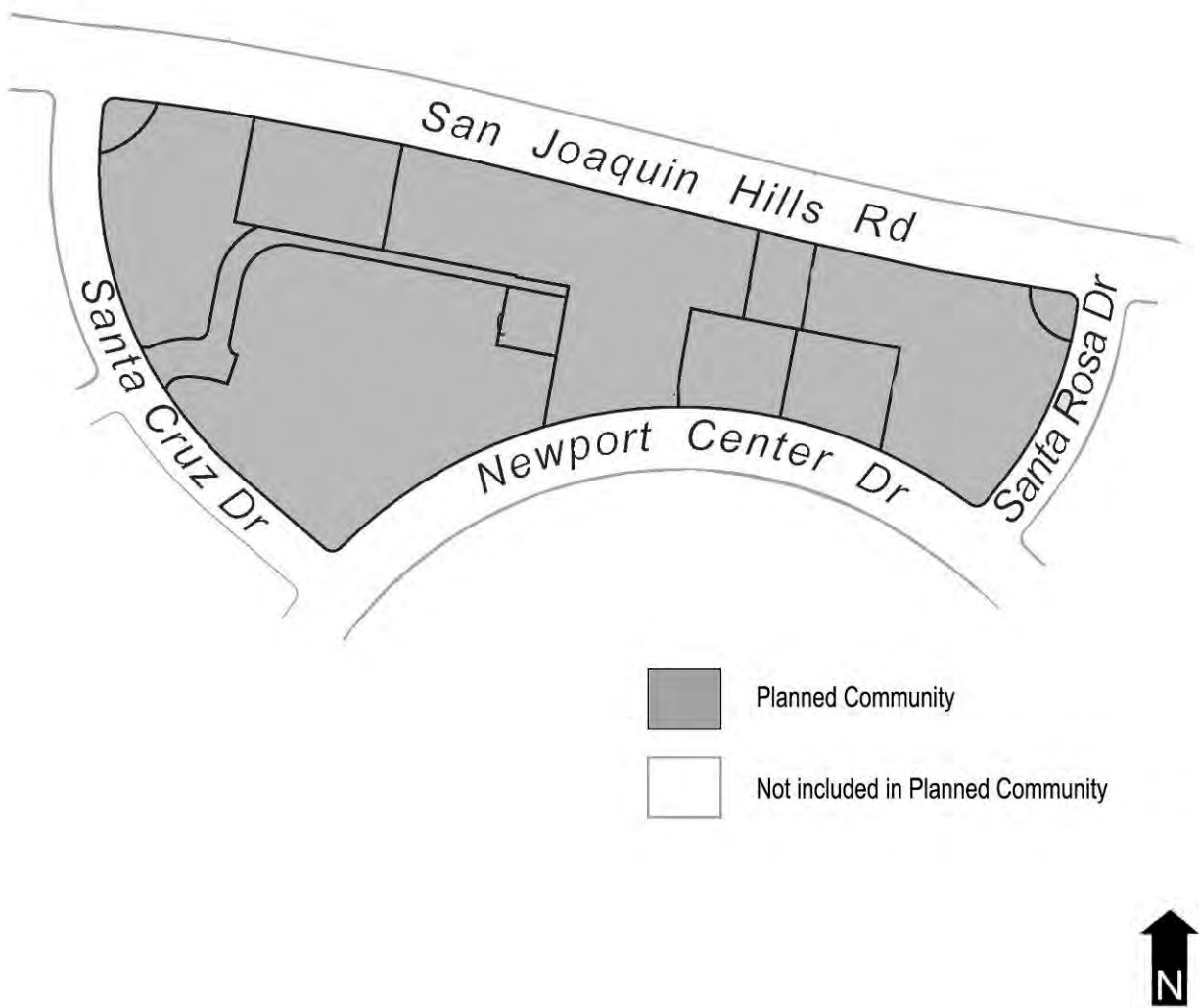




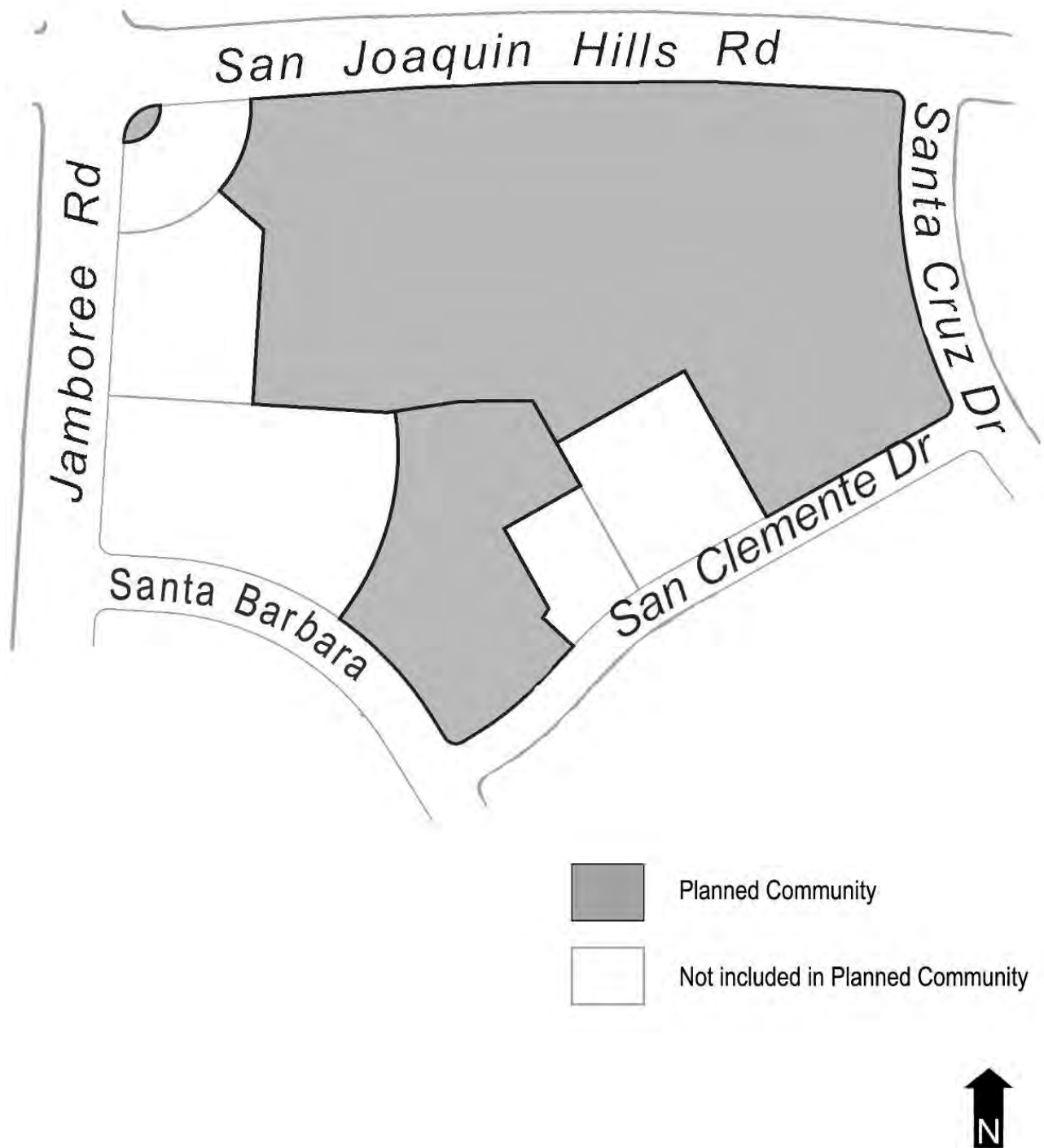
**Figure 4 – Block 400 Sub Area**



**Figure 5 – Block 500 Sub-Area**



**Figure 6 – Block 600 Sub-Area**



**Figure 87** – San Joaquin Plaza Sub-Area



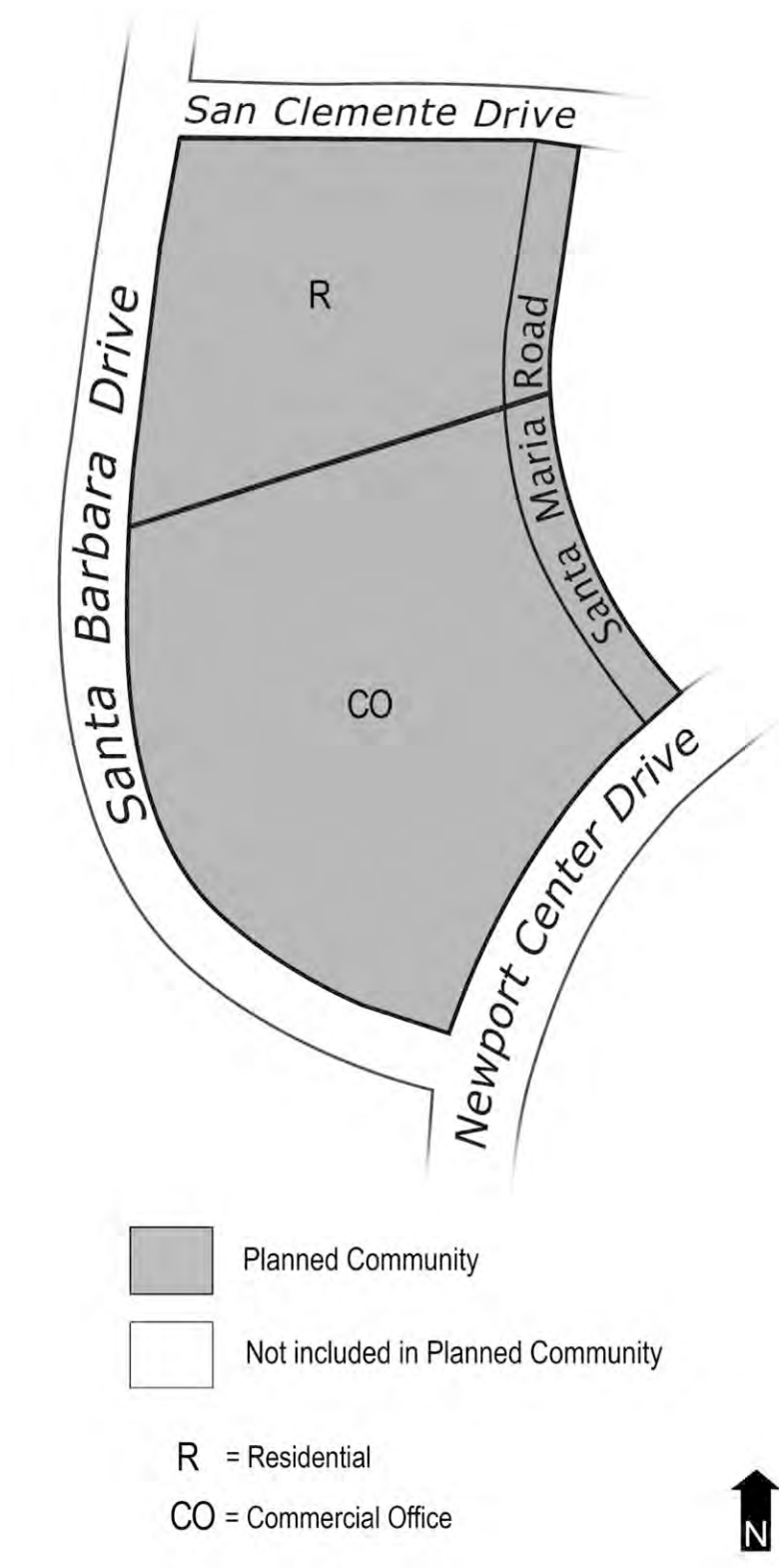


Figure 78 - Block 800 Sub-Area

## **B. Relationship to Municipal Code**

Whenever the development regulations of this plan conflict with the regulations of the Newport Beach Municipal Code, the regulations contained herein shall prevail. The Municipal Code shall regulate this development whenever regulations are not provided within these district regulations. All words and phrases used in this North Newport Center PC Development Plan shall have the same meaning and definition as used in the City of Newport Beach Municipal Code unless defined differently in Section V – Definitions.

The Municipal Code referred to herein is the version of the Code in effect on December 18, 2007 and specifically includes Title 15 of the Municipal Code (Buildings and Construction), Title 19 of the Municipal Code (Subdivisions) and Title 20 of the Municipal Code (Planning and Zoning) but specifically excluding all other sections of the Municipal Code including Title 5 of the Municipal Code (Business Licenses and Regulations).

## **C. Relationship to North Newport Center Design Regulations**

Development in North Newport Center shall be regulated by both the Development Plan and the Design Regulations, which is provided as Appendix A.

## **II. Land Use and Development Regulations**

### **A. Permitted Uses**

#### **1. General**

Permitted uses are those uses set forth in this Section for each sub-area as shown on Table 1. The uses identified within the table are not comprehensive but rather major use categories. Specific uses are permitted consistent with the definitions provided in Section V of this Development Plan. Uses determined to be accessory or ancillary to permitted uses, or residential support uses to permitted uses are also permitted. The Planning Director may determine other uses not specifically listed herein, provided they are consistent with the Commercial Office, Regional Commercial, Mixed-Use, and Residential General Plan districts, the purpose of this Planned Community Development Plan, and the purpose of the sub-area in which the property is located.

**Table 1 - North Newport Center Land Use Regulation Table**

Uses	Fashion Island	Block 100	Block 400	Block 500	Block 600	Block 800		San Joaquin Plaza
						<a href="#">Commercial Office</a>	<a href="#">Residential</a>	
<b>Banks/Savings and Loans</b>	P	P	P	P	P	<a href="#">P</a>	--	P
With drive through services	MUP	MUP	MUP	MUP	MUP	<a href="#">MUP</a>	--	MUP
<b>Business, Government and Professional</b>	--	P	P	P	P	<a href="#">P</a>	--	P
Emergency Healthcare	--	P <sup>1</sup>	P	P	P	<a href="#">P</a>	--	P
Management and Leasing Offices	P	P	P	P	P	<a href="#">P</a>	--	P
Office, Medical and Dental	--	P	P	P	P	<a href="#">P</a>	--	P
Public Safety Facilities	P	MUP	MUP	P	P	<a href="#">MUP</a>	--	P
<b>Commercial Recreation and Entertainment</b>	P	UP	UP	MUP	MUP	<a href="#">UP</a>	--	MUP
<b>Cultural and Institutional</b>	UP	UP	UP	P	P	<a href="#">UP</a>	--	P
<b>Day Care</b>	P	P <sup>1</sup>	P <sup>1</sup>	P	P	<a href="#">P<sup>1</sup></a>	--	P
<b>Day Spas</b>	MUP	MUP <sup>2</sup>	MUP <sup>2</sup>	MUP	MUP	<a href="#">MUP<sup>2</sup></a>	--	MUP
<b>Eating and Drinking Establishments</b>	P*	MUP	MUP	P**	P**	<a href="#">MUP</a>	--	P**
Bars/Cocktail Lounges	MUP	UP	UP	UP	UP	<a href="#">UP</a>	--	UP
<b>Personal Improvement</b>	MUP	MUP	MUP	P	P	<a href="#">MUP</a>	--	P
Health/Fitness Clubs	MUP	MUP	MUP	P	P	<a href="#">MUP</a>	P+	P
<b>Personal Services</b>	P	P <sup>1</sup>	P <sup>1</sup>	P	P	<a href="#">P<sup>1</sup></a>	P	P
<b>Residential</b>	--	--	--	P	P	<a href="#">=</a>	P	P
<b>Retail Sales</b>	P	P <sup>1</sup>	P <sup>1</sup>	P	P	<a href="#">P<sup>1</sup></a>	P+	P
Animal Sales and Services	MUP	--	--	MUP	MUP	<a href="#">=</a>	--	MUP
Medical Retail	P	P++	P++	P	P	<a href="#">P++</a>	--	P
<b>Visitor Accommodations</b>	UP	UP	UP	UP	UP	<a href="#">UP</a>	--	UP

P = Permitted

UP = Use Permit

MUP = Minor use Permit Issued by the Planning Director

1 = Permitted as Accessory/Ancillary Use

2 = In accordance with Chapter 20.87 of the Municipal Code

\* = A Minor Use Permit Issued by the Planning Director is required for the sale of alcohol

\*\* = A Use Permit is Required for the Sale of Alcohol

+ = Intended for Residential Support Use

++ = Accessory and ancillary medical retail, including those in freestanding structures, shall remain subordinate to principal uses

-- = Not Permitted

## 2. Open Space Corners

The passive landscape areas on the following corners shall be limited to landscaping, and permitted signage.

San Joaquin Hills Road and Avocado, Avocado and San Nicolas Drive (northwest and southwest corners), Avocado and San Miguel (northwest), San Joaquin Hills Road and Santa Rosa Drive (southwest and southeast), San Joaquin Hills Road and Santa Cruz Drive (southwest and southeast corners), San Joaquin Hills Road and Jamboree Road and San Joaquin Hills Road and MacArthur Boulevard.

### 3. Special Events

The general regional Mixed-Use nature of North Newport Center results in a variety of special events and temporary uses throughout the year. Special community events, such as parades, trade shows, car shows, pageants, community concerts, outdoor displays, recreation/entertainment events and temporary structures are permitted within the North Newport Center Planned Community consistent with the following provisions:

- If the event takes place on private property within Fashion Island the event is not regulated so long as it does not displace required parking. Such events must comply with the City's Municipal Code related to noise control and other pertinent standards.
- If the event takes place anywhere else within North Newport Center or the public right-of-way, such events are permitted as long as they comply with the Municipal Code.

### B. Development Limits

The development limits in this Development Plan are consistent with those established by the General Plan and are identified in Table 2 below. Development limits may be modified through the approval of a Transfer of Development Rights. Carts, kiosks, temporary and support uses are permitted and are not counted towards square footage development limits.

**Table 2 – Development Limits**

Land Use	Fashion Island	Block 100	Block 400	Block 500	Block 600	Block 800	San Joaquin Plaza	Total
Regional Commercial	1,619,525 sq. ft.	0	0	0	0	0	0	1,619,525 sq. ft.
Movie Theater	1,700 seats (27,500 sq. ft.)	0	0	0	0	0	0	1,700 seats (27,500 sq. ft.)
Hotel	(A)	0	0	0	295	0	0	295
Residential	0	0	0	(B)	(B)	245	(B)	675
Office/Commercial	0	<del>121,114</del> -0- sq. ft. (C)	91,727 sq. ft.	<del>526,517</del> 310,684 sq. ft.	<del>1,292,637</del> 1,387,873 sq. ft.	<del>286,166</del> 0	<del>95,550</del> 337,261 sq. ft.	<del>2,413,711</del> 2,127,545 sq. ft.

A. Hotel rooms are permitted in Fashion Island through the transfer of development rights.

B. Residential units are permitted in Block 500, Block 600 and San Joaquin Plaza if the total number of units does not exceed 430 units.

C. The maximum development for Block 100 may not exceed 121,114 square feet. Transfers of development rights shall be permitted, provided the maximum development limit of 121,114 square feet is not exceeded. [Transfers have resulted in no remaining intensity in Block 100.](#)

#### 1. Fashion Island

The total gross floor area for Fashion Island is 1,619,525 square feet plus the 1,700-seat movie theater. The movie theater building area is equivalent to and may be converted to 27,500 square feet of retail development. The conversion of the movie theater to retail space shall not require any additional parking. The gross floor area for Regional Commercial development is the total horizontal floor area of all floors of a building within the exterior walls thereof, measured in square feet, exclusive of common areas such as, but not limited to: covered malls and walkways, carts, kiosks, open or roofed patio areas (defined by planters, awnings, shade structures, fences or rails), covered entries, covered parking, driveways or loading areas.

## **2. Mixed-Use Sub-Areas**

The Mixed-Use blocks include Block 500, Block 600 and San Joaquin Plaza. Up to 430 residential units and 295 hotel rooms are permitted within the Mixed-Use blocks. Residential and hotel uses are measured on a per unit basis. The gross floor area for all other permitted uses is the total enclosed area of all floors of a building measured to the outside face of the structural members in exterior walls, including halls, stairways, elevator shafts at each floor level, service and mechanical equipment rooms and basement or attic areas having a height of more than seven feet. Excluded are covered porches, walkways and loading docks, service tunnels, and mechanical shafts. Mechanical spaces on roofs, which are inaccessible to tenants, are not counted as square footage. Development limits for residential uses are based on unit counts, and are not within square footage limits. Support uses are not included in the square footage development limits and shall not require parking.

## **3. Commercial Office Blocks**

The maximum development limit for Block 100 is 121,114 square feet, ~~and~~ for Block 400 is 91,727 square feet and for Block 800 Commercial Office is 286,166 square feet. The gross floor area for all permitted uses is the total enclosed area of all floors of a building measured to the outside face of the structural members in exterior walls, including halls, stairways, elevator shafts at each floor level, service and mechanical equipment rooms and basement or attic areas having a height of more than seven feet. Excluded are covered porches, walkways and loading docks, service tunnels, and mechanical shafts. Mechanical spaces on roofs, which are inaccessible to tenants, are not counted as square footage. Support uses are not included in the square footage development limits and shall not require parking.

## **4. Block 800 Residential**

The maximum number of dwelling units for multi-family residential use shall not exceed 245.

## **C. Transfer of Development Rights**

The transfer of development rights among sub-areas of this Planned Community and to/from other areas in the Newport Center/Fashion Island District identified in the General Plan is allowed in accordance with the General Plan.

Development rights may be transferred through a change in location of use(s) and/or a conversion of non-residential use to any other non-residential use allowed by the General Plan and this Planned Community Development Plan or applicable zoning at the receiving site(s). Residential use may be relocated, but may not be converted to or from another use.

The transfer of development rights shall be approved, as specified in Section IV.C below, if the transfer will not result in any adverse traffic impacts and will not result in greater intensity than development allowed without the transfer.



### III. Site Development Standards

The following site development standards shall apply to the North Newport Center Planned Community.

#### A. Permitted Height of Structures

##### 1. Standards for Allowable Heights

Allowable heights are determined by sub-area. All building heights are measured at finished grade.

**Fashion Island:** The maximum heights of structures within Fashion Island are depicted in Table 3, Fashion Island Height Limits.

**Table 3 – Fashion Island Height Limits**

Building Type	Height
Major Buildings	125'
Mall Buildings	75'
Parking Structures	55'
Periphery Buildings	40'

**Block 100:** The maximum height of all structures shall be 50 feet as measured from finished grade.

**Blocks 400, 500, and 600:** The maximum height of all structures shall be 295 feet as measured from finished grade.

**Block 800 :** The maximum height of all structures [within the residential portion](#) shall be 200 feet as measured from finished grade. [The maximum height of all structures within the commercial office portion shall be 125 feet as measured from finished grade.](#)

**San Joaquin Plaza:** The maximum height of all structures in San Joaquin Plaza shall be 65 feet as measured from finished grade.

##### 2. Standards for Buildings Over 200 Feet in Height

###### a. Aviation Compatibility

Prior to issuance of building permits, the project applicant must demonstrate that the following conditions have been satisfied. New development shall be required to comply with the following conditions related to the Airport Environs Land Use Plan (AELUP) for the John Wayne Airport:

1. For development of structures that exceed 200 feet in height above ground level at a development site, applicants shall file a Notice of Proposed Construction or Alteration with the Federal Aviation Administration (FAA) (FAA Form 7460-1). Following the FAA's Aeronautical Study of the project, projects must comply with conditions of approval imposed or recommended by the FAA. Subsequent to the FAA findings, the

City shall refer the project to the Airport Land Use Commission (ALUC) of Orange County for consistency analysis.

2. No buildings within the North Newport Center Planned Community area shall penetrate the FAA Federal Aviation Regulations (FAR) Part 77 imaginary obstruction surface for John Wayne Airport.
3. Applicants shall file a Notice of Proposed Construction or Alteration with the FAA (Form 7460-1) for any construction cranes that exceed 200 feet in height above ground level.

**b. Shade Standards**

Prior to issuance of a building permit for a structure over 200 feet in height that has the potential to shade residential areas north of San Joaquin Hills Road, a shade study shall be prepared by the applicant and submitted to the City. The shade study shall demonstrate that the new development will not add shade to the designated residential areas beyond existing conditions for more than three hours between the hours of 9:00 a.m. and 3:00 p.m. Pacific Standard Time, or for more than four hours between the hours of 9:00 a.m. and 5:00 p.m. Pacific Daylight Time.

The shade study shall be prepared to the satisfaction of the Planning Director and the Planning Director shall determine conformance with the standards identified herein as part of the plan review process.

**c. Rooftop Appurtenances**

Rooftop appurtenances are permitted and may exceed the maximum building height up to 20 feet. Rooftop appurtenances shall demonstrate compliance with conditions related to the AELUP for the John Wayne Airport, consistent with Section III(A)(2)(a). Rooftop appurtenances must be screened from view; the height of rooftop appurtenances shall not exceed the height of the screening. Supports for window washing equipment are permitted, and are not required to be screened from view. No setbacks are required. The Planning Director shall notify the Planning Commission and City Council if rooftop appurtenances above the height limit are approved, consistent with Section IV(A)(3).

**d. Architectural Features**

Architectural features are permitted and may exceed the maximum building height up to 20 feet. Such features must be an extension of the architectural style of the building in terms of materials, design and color. Architectural features shall demonstrate compliance with conditions related to the AELUP for the John Wayne Airport, consistent with Section III(A)(2)(a). The Planning Director shall notify the Planning Commission and City Council if architectural features above the height limit are approved, consistent with Section IV (A)(3).

**B. Setback Requirements**

Setbacks for the seven sub-areas are listed below. Setbacks for surface parking must be screened using hedges, landscaping or other similar methods. Setbacks are the minimum distance from the property line to building, parking structure, or parking lot, unless otherwise specified. This is not intended to apply to interior lot lines or property lines.

**Fashion Island**

Newport Center Drive: 10 feet; may be reduced to 0 feet by the Planning Director through the plan review process.

**Block 100**

Newport Center Drive: 15 feet  
Anacapa Drive: 15 feet  
Farallon Drive: 15 feet

**Block 400**

Newport Center Drive: 15 feet  
San Nicolas Drive: 15 feet

**Block 500**

Newport Center Drive: 15 feet  
Santa Rosa: 15 feet  
San Joaquin Hills: 15 feet  
San Nicolas: 15 feet

**Block 600**

Newport Center Drive: 15 feet  
Santa Cruz: 15 feet  
San Simeon: 15 feet – setbacks for parking structure access points may be reduced by the Planning Director through the plan review process  
San Joaquin Hills: 15 feet – setbacks for parking structure access points may be reduced by the Planning Director through the plan review process  
Santa Rosa: 15 feet  
Center Drive (e/w): 0 feet  
Center Drive (n/s): 0 feet

**Block 800**

[Newport Center Drive: 15 feet](#)  
[Commercial office buildings shall be set back 15 feet from Block 800 residential](#)  
[Commercial office parking lots and parking structures shall be set back 5 feet from Block 800 residential](#)  
Santa Barbara Drive: 15 feet  
San Clemente Drive: 15 feet  
Santa Maria Road: 0 feet

**San Joaquin Plaza**

San Joaquin Hills: 15 feet  
Santa Cruz: 15 feet  
San Clemente: 15 feet  
Santa Barbara: 15 feet

## C. Parking Requirements

### 1. General Standards

Parking requirements are based on gross floor area (as defined in the Development Limits for Fashion Island) for regional commercial uses, net floor area for office/commercial uses, and unit counts for hotel rooms and residential units. Kiosks for retail sales, covered or uncovered, shall not be included in the calculation of required parking. Accessory, ancillary, and support uses for hotel and residential developments shall not be included in the calculation of required parking. Kiosks and sundry shops serving tenants, including accessory, ancillary and support uses less than 5 percent of the gross floor area, are not counted as square footage and do not require parking. Parking management or engineering offices located in parking structures are counted as square footage and require parking.

Parking requirements for North Newport Center are shown below on Table 4, North Newport Center Parking Requirements.

**Table 4 - North Newport Center Parking Requirements**

Land Use	Parking Requirement
Regional Commercial	3 spaces per 1,000 square feet <sup>1</sup>
Movie Theater	3 spaces per 1,000 square feet
Office	1 space per 375 square feet
Medical Office	Municipal Code
Hotel	Municipal Code
Residential	2 spaces per unit includes 1 covered; plus 0.5 spaces per unit up to 50 units, then 0.25 spaces per unit thereafter for guest parking
Other	Municipal Code

For San Joaquin Plaza, a parking management plan shall be required to utilize the parking ratios identified in Table 4 to demonstrate provision of adequate parking. If a parking management plan is not prepared for San Joaquin Plaza, parking shall be provided per the Municipal Code. Parking for Block 100, ~~and Block 400~~ and Block 800 Commercial Office shall be provided per the Municipal Code. Parking for Block 800 Residential shall be provided at 2 parking spaces per unit including 1 covered; plus 0.5 spaces per unit for guest parking.

### 2. Valet Parking

Valet parking and satellite parking with shuttle service that involves use of the public right-of-way shall require approval by the City Traffic Engineer.

### 3. Parking Management Plan

Parking management plans may be prepared if the applicant wishes to deviate from the parking standards identified above.

Parking management plans may address issues such as modified parking requirements based upon complimentary peak hour demand of uses, off peak shared parking between sub-areas, drop off and

<sup>1</sup> The parking requirement during the peak seasonal period is 4 spaces per 1,000 square feet per an existing parking management plan.

valet services on private property, and tandem parking. The parking management plan shall take into account properties that are not part of the Planned Community district, but that are served by parking located within the district, and shall ensure that no detrimental effects to the existing parking for such properties occur. Parking management plans shall be prepared by an independent traffic engineer at the applicant's expense. Parking management plans shall be approved by the City Traffic Engineer prior to the issuance of building permits.

## **D. Landscaping**

Landscaping shall be installed subject to the following standards and maintained in a healthy, weed-free condition, free of litter and so as not to interfere with traffic safety

1. **Surface Parking Lot Landscaping:** Parking lots shall be landscaped at a minimum of 1 tree per 5 parking spaces. The minimum size of trees shall be 24-inch box.
2. **Water Conservation:** Satellite linked irrigation controllers or appropriate best management practices shall be incorporated into landscape design for new construction.

## **E. Lighting**

Parking lots and walkways accessing building and parking areas shall be illuminated with a minimum maintained 0.5 foot-candle average on the driving or walking surface during the hours of operation and one hour thereafter. If the applicant wishes to deviate from this lighting standard, a lighting plan may be prepared by the applicant and submitted to the Planning Director for review and approval.

Indirect, decorative halo banding along the top of buildings is permitted.

## **F. Signs**

### **1. General Sign Standards**

All permanent and temporary signs in North Newport Center that are visible from public right-of-ways and public property shall be consistent with the provisions of these sign standards, unless otherwise approved by the Planning Director. All permanent and temporary signs that are not visible from public right-of-ways are not limited in quantity, size, location, or design. Sign illumination is permitted for all sign types.

Wall signs that are visible from public right-of-ways must consist of individual fabricated letters; or routed-out letters in an opaque background. Enclosed "box" or "can" signs are not permitted, unless they are logos.

All commercial uses are permitted to place at each entry an incidental sign located at or below eye level to be visible to pedestrians, and shall not exceed six square feet.

In addition to other signs permitted in this section, signs used to give direction to vehicular or pedestrian traffic are permitted. Directional signs oriented to vehicular or pedestrian traffic within internal drives or walkways of a development block are not regulated. Directional signs oriented to vehicular or pedestrian traffic in the public right of way are regulated as follows. Sign content shall not be limited. Signs shall be subject to the review of the City Traffic Engineer to ensure adequate sight distance in accordance with the provisions of the Municipal Code. Directional signs are limited

to a maximum of 10 square feet in size but are not limited in quantity, location, or design. Temporary signs that are intended to be displayed for 60 days or less are permitted for purposes related to special events, holiday activities and store openings. Detailed standards for temporary signs are contained below.

A comprehensive sign program may be prepared if the applicant wishes to deviate from the sign standards identified herein. Comprehensive sign programs shall be submitted for review and consideration in accordance with the provisions of the Municipal Code. Sign programs in place prior to this writing including the Island Hotel and Leasing Sign Programs shall remain in place.

## 2. Restricted Sign Types

Signs visible from public right-of-ways are subject to the following restrictions:

- a. No rotating, flashing, blinking, or signing with animation shall be permitted on a permanent basis.
- b. No signs shall be permitted which imitate or resemble official traffic signs or signals.
- c. No wind signs or audible signs are permitted.

Animated signs visible from public streets are not allowed unless otherwise permitted by the Municipal Code.

## 3. Sign Standards for Fashion Island

In addition to the general sign standards identified above, specific sign standards for Fashion Island are provided in Table 6, Fashion Island Sign Standards below.

**Table 6 – Fashion Island Sign Standards**

Sign Type	Location	Maximum Number	Maximum Sign Size	Maximum Letter/ Logo Height
Shopping Center Identification Sign	Each vehicle entry drive location	2 per entry drive (one on each side)	100 square feet 10 feet high	9 feet
Major Tenant Sign	Exterior walls or parapets of buildings	1 sign per building elevation (maximum 4 signs for each major tenant)	Determined by name of tenant; letter/logo height not to exceed 10 feet	10 feet
Freestanding Commercial	Exterior walls or parapets of buildings	1 sign per building elevation (maximum 4 signs for each building or structure)	Determined by name of tenant; letter/logo height not to exceed 3 feet	3 feet
	Monument	1 per building	50 square feet 5 feet high	4.5 feet
Tenant Sign	Exterior elevations of shopping center and parking structures facing Newport Center Drive	1 sign per tenant, per building elevation	1 square foot per each lineal foot of storefront (not to exceed 100 square feet)	10 feet

Sign Type	Location	Maximum Number	Maximum Sign Size	Maximum Letter/Logo Height
Theater Signs	Facing Newport Center Drive (exterior wall or parapet of building which theater occupies, free standing, or on adjacent parking structure)	1	300 square feet 20 feet high	Theater name: 5 feet Each show title: 3 feet high 15 feet wide
Store Address	Each entry to store	1 per store entry	6 square feet	12 inches
Entry Marker Signs	To be approved by Planning Director	7 signs	36 square feet (with 2-foot overhang) 15 feet high	2 feet

#### 4. Sign Standards for Mixed-Use and Commercial Office Blocks

In addition to the general sign standards identified above, specific sign standards for the Mixed-Use blocks, Block 100, Block 400 and Block 800 are provided in Table 7 below.

Primary building address numbers shall be visible from the street (and/or pedestrian walkways in the case of necessity), and be located on the building so that they are visible from adjacent frontage roads and designated parking areas, except for the buildings at 500 and 550 Newport Center Drive, which have their primary address numbers on the cubes along Newport Center Drive. Secondary address signs may be located where appropriate for on-site orientation and safety. All address signs shall have a consistent color, design, and material for any given building. A single letter style is recommended.

**Table 7 – Sign Standards for Blocks 100, 400, 500, 600, 800 and San Joaquin Plaza**

Sign Type	Description	Location	Maximum Number	Maximum Sign Size	Maximum Letter/Logo Height
A	Large cube or blade sign located at entries to Newport Center	Santa Rosa Drive at San Joaquin Hills Road	2 (1 per corner)	15 feet high 15 feet wide	24 inches
		Santa Cruz Drive at San Joaquin Hills Road	2 (1 per corner)	15 feet high 15 feet wide	24 inches
		<b>Block 500:</b> at San Joaquin Hills Road / Avocado	1	15 feet high 15 feet wide	24 inches
		<b>Block 500:</b> at San Nicolas / Avocado	1	15 feet high 15 feet wide	24 inches
		MacArthur Boulevard at San Joaquin Hills Road	1	15 feet high 15 feet wide	24 inches
		<b>San Joaquin Plaza:</b> at Jamboree / San Joaquin Hills Road	1	15 feet high 15 feet wide	24 inches
B	Small cube located along Newport Center Drive	San Nicolas Drive at Newport Center Drive	2 (1 per corner)	5 feet high 5 feet wide	5 inches
		Newport Center Drive and Santa Rosa	2 (1 per corner)	5 feet high 5 feet wide	5 inches
		<b>Block 600:</b> Along Newport Center Drive	5	5 feet high 5 feet wide	5 inches
		<b>Block 800:</b> <u>Newport Center Drive and Santa Maria Road</u>	<u>1</u>	<u>5 feet high</u> <u>5 feet wide</u>	<u>5 inches</u>
C	Other Freestanding	<b>Block 100</b>	1 per frontage	5 feet high 10 feet wide	10 inches



Sign Type	Description	Location	Maximum Number	Maximum Sign Size	Maximum Letter/Logo Height
	Signs	<b>Block 400:</b> Avocado at San Miguel Along San Nicolas	2 1	5 feet high 6 feet wide	13 inches
		Between 500 and 550 Newport Center Drive	1	4 feet high 12 feet wide	18 inches
		<b>Block 600:</b> Along Santa Cruz Drive	2	7 feet high 22 feet wide	18 inches
		<b>Block 800:</b> <a href="#">Along Santa Barbara Drive</a>	<a href="#">1</a>  <a href="#">1</a>	<a href="#">5 feet high</a> <a href="#">25 feet wide</a>  <a href="#">3.5 feet high</a> <a href="#">10 feet wide</a>	<a href="#">14/24 inches</a>  <a href="#">20 inches</a>
		Santa Cruz Drive at Newport Center Drive	1	15 feet high 15 feet wide	24 inches
		<b>San Joaquin Plaza:</b> Along San Joaquin Hills Road; Santa Cruz Drive; San Clemente Drive	1 each (3 signs along San Clemente Drive)	6 feet high 12 feet wide	5 1/2 inches for Tenant ID; 18 inches for Project ID
		San Clemente Drive at Santa Cruz Drive	1	5 feet high 12 feet wide	18 inches
		San Clemente Drive at Santa Barbara	1	5 feet high 16 feet wide	18 inches
D	Signs mounted on landscape walls <a href="#">(includes ground mounted signs in front of landscaping and landscape walls)</a>	<b>Block 400:</b> facing Newport Center Drive	1	Determined by name of tenant; letter/logo height not to exceed 18 inches	18 inches
		<b>Block 500:</b> facing Newport Center Drive	4	Determined by name of tenant; letter/logo height not to exceed 26 inches	26 inches
		<b>Block 600:</b> facing streets	2 facing San Joaquin Hills; 5 facing Newport Center Drive; 1 facing Santa Rosa	Determined by name of tenant; letter/logo height not to exceed 18 inches	18 inches
		<b>Block 800:</b> at San Clemente project entry	2	Determined by name of tenant; letter/logo height not to exceed 36 inches	36 inches
		<b>Block 800:</b> at San Clemente / Santa Barbara	1	Determined by name of tenant; letter/logo height not to exceed 36 inches	36 inches
		<b>Block 800</b> Along Newport Center Drive	1	Determined by name of tenant; letter/logo height not to exceed 40 inches	40 inches

Sign Type	Description	Location	Maximum Number	Maximum Sign Size	Maximum Letter/Logo Height
E	Building Sign	On building elevation, <a href="#">awning or parking structure</a>	2 per Primary Tenant 1 per Secondary Tenant <a href="#">3 for restaurants</a>	Determined by name of tenant; letter/logo height not to exceed: Primary 24 inches, Secondary 16 inches <a href="#">Restaurant: 40 inches high</a>	Primary Tenant - 24 inches Secondary Tenant - 16 inches <a href="#">Restaurant: 40 inches</a>
F	Building Address	On building elevation	1 each (additional address signs may be located where appropriate for on-site orientation)	24 inches high	24 inches
G	Freestanding Building Address	Santa Rosa Drive at Newport Center Drive; San Nicolas Drive at Newport Center Drive; Santa Cruz at Newport Center Drive; San Joaquin Hills Road	1 each  2	8 feet high 6 feet wide	18 inches  28 inches
H	Advisory Signs	Parking Lots <a href="#">and Entries to Parking Lots</a>	As appropriate for safety and orientation	<a href="#">6</a> 4 feet high	As required by Fire Department or Building Code for safety purposes
I	Drive Through Signs	Drive Throughs	1 per tenant per elevation, up to 2 on walls of structure	8 feet wide	15 inches
J	Apartment Leasing Signs	Block 800	1 per frontage	5 feet high by 3 feet wide panel on post	24 inches
K	Office Leasing Signs	Blocks 100, 400, 500, 600, <a href="#">800</a> and San Joaquin Plaza	1 per frontage	4.5 feet high by 5 feet wide	7 inches

## 5. Temporary Signs

The following standards are intended to produce consistent sign design for temporary signs within Newport Center. Temporary signs are to identify a future site or project; or a facility under development or offered for lease. Temporary signs that are visible from public right-of-ways and identify new construction or remodeling may be displayed for the duration of the construction period beyond the 60-day limit. Signs mounted on a construction fence are allowed during construction and may be rigid or fabric. The top of the sign must be no greater than 20 feet above grade.

**Maximum Number:** One (1) temporary sign is permitted on a site for each frontage street, up to two (2) signs per building, but not at the same corner of the building.

**Type:** Single- or double-faced ground signs or wall signs.

**Location:** If ground signs, they may be parallel or perpendicular to the roadway. If wall signs, they must be located below the sill of second floor windows.

**Design:** Rectangular shape; rigid, permanent material; not fabric.

**Mounting Technique:** Flush with building; entirely on glass or entirely on a wall surface; not overlapping glass or wall surface.

**Duration:** Signs may exist from the time of lease or sale of the parcel until the construction and/or leasing of the facility is complete.

## **G. Residential Compatibility**

In keeping with the purpose of Fashion Island and the Mixed-Use sub-areas, permitted uses in North Newport Center include uses and events that have the potential to generate noise. Due to the day/evening use of Fashion Island in particular, noise generating activities, lighting, odors from restaurants, and similar occurrences are produced and take place during all hours of operation. Such uses and events are required to comply with the City's Municipal Code regulating these uses.

Disclosures shall be made to prospective buyers/tenants of residential developments that there is an expectation for noise levels higher than in typical suburban residential areas as part of the Mixed-Use concept within North Newport Center. Additionally, the disclosure shall indicate that there is an expectation for lighting, odors and similar occurrences in a Mixed-Use setting as compared to suburban residential areas.

## **H. Residential Open Space Requirements**

The following open space standards shall apply to residential development projects:

### **1. Common Outdoor Open Space**

Each project shall provide common outdoor open space either at grade, podium level, or roof level. Common outdoor open space areas shall have a minimum dimension of 30 feet and may contain active and/or passive areas and a combination of hardscape and landscape features, but a minimum of 10 percent of the common outdoor open space must be landscaped. All common outdoor open space must be accessible to all residents. Projects shall provide a minimum of 5 percent common outdoor open space based on the residential lot area.

### **2. Common Indoor Space**

Each project shall provide at least one community room of at least 500 square feet for use by all residents of the project. The area should be located adjacent to, and accessible from, common outdoor open space. This area may contain active or passive recreational facilities or meeting space, and must be accessible through a common corridor.

### **3. Private Open Space**

At least 50 percent of all dwelling units shall provide private open space, on a balcony, patio, or roof terrace, with a minimum area of 30 square feet each and an average horizontal dimension of 6 feet. Balconies should be proportionately distributed throughout the project in relationship to floor levels and sizes of units. For any project 8 acres or larger, open space shall be provided in accordance with the General Plan.

## **IV. Planned Community Development Plan Administration**

### **A. Process for New Structures**

#### **1. Purpose and Intent**

The purpose of the Plan Review process is to provide for review of development proposals for new structures within the North Newport Center Planned Community district. Prior to the issuance of a building permit, all development proposals shall be subject to a Plan Review by the Planning Director for review to determine compliance with the Planned Community Development Plan and North Newport Center Design Regulations. Signs, tenant improvements, carts, kiosks, temporary structures and uses are exempt from this provision.

#### **2. Submittal Contents**

Each Plan Review submittal or amendment thereof shall contain sufficient details for a thorough review of the relationships between uses on the site and on adjacent sites consistent with the Development Plan and the Design Regulations. At the discretion of the Planning Director, the requirements for submittal of a Plan Review may be altered from those set forth below when the Director determines that other information will be sufficient to allow a thorough review of the project by the approving authority.

Submittals for Plan Review shall include plans that contain the following elements in addition to the City's submittal requirements for plan check:

- a. Existing Conditions including adjacent structures and proposed improvements
- b. Floor Plans
- c. Elevations that clearly demonstrate the architectural theme of each face of all structures, including walls and signs, illustrating the following:
  - 1) All exterior materials
  - 2) All exterior colors
  - 3) Building heights
- d. Parking management plan (where applicable)
- e. Preliminary Landscape Plan, illustrating:
  - 1) General location of all plant materials, by common and botanical names
  - 2) Size of plant materials
  - 3) Irrigation concept
- f. Lighting Plan, including: locations, fixture height, lighting fixture product type and technical specification
- g. Permitted and proposed floor area, number of hotel rooms, theater seats, and/or residential units
- h. Statement of consistency with the General Plan, Planned Community Development Plan and Design Regulations
- i. Any additional background and supporting information, studies or materials that the Planning Director deems necessary for a clear representation of the projects
- j. Shade analysis if required
- k. Open Space Plans for residential projects

### **3. Review and Action**

Submittals shall be reviewed by the Planning Director, and the Planning Director shall approve the project if he/she makes the following findings:

- a. The proposed use and/or development is consistent with the General Plan.
- b. The proposed use and/or development is consistent with the North Newport Center PC Development Plan and Design Regulations.

The Planning Director shall notify the Planning Commission and City Council if deviations from the height limit are approved. The Planning Director action is the final action unless appealed in accordance with the Municipal Code.

### **B. Process for New Signs**

Applications for new signs shall follow the process identified in the Municipal Code. Submittal shall be reviewed for consistency with the Development Plan and Design Regulations.

### **C. Transfer of Development Rights**

The following procedure shall be used for the transfer of development rights.

1. The project applicant shall submit an application to the Planning Director, which identifies the quantity of entitlement (floor area, hotel rooms, theater seats) to be relocated, and the sending and receiving sites. If the requested transfer includes the conversion of non-residential uses, the application shall also identify the quantity of entitlement, by use category, before and after the transfer.
2. The City Traffic Engineer shall perform a traffic analysis to determine the total number of PM peak hour trips that would be generated by development allowed with and without the transfer. Trip generation rates shall be based on standard trip generation values in the current version of ITE's "Trip Generation," unless the Traffic Engineer determines that other rates are more valid for the uses involved in the transfer.
3. Depending on the location of the sending and receiving sites, the Traffic Engineer may determine that a more detailed traffic analysis is required to determine whether adverse traffic impacts will result from the transfer. This analysis shall demonstrate whether allowed development, with and without the transfer, would either cause or make worse an unsatisfactory level of service at any primary intersections for which there is no feasible mitigation. This analysis shall be consistent with the definitions and procedures contained in the Traffic Phasing Ordinance of the Municipal Code, except that "unsatisfactory level of service" shall be as specified in the General Plan.
4. If the transfer request involves the conversion of uses, the Planning Director shall perform a land use intensity analysis to determine the floor area that could be developed with and without the transfer. For purposes of this analysis, theater use shall be allocated 16.1765 square feet per seat. Hotel use shall be allocated the number of square feet per room at which it is included in the General Plan. When the General Plan does not specify intensity for hotel rooms, it shall be as determined by the Planning Director.

5. Applications for transfer of development rights shall be considered by the City Council as a ministerial action. The City Council shall approve a transfer of development rights if it finds that the transfer will result in no more trips and no greater intensity of land use than the development allowed without the transfer. In addition, if the traffic study in Subsection c. is required, the City Council shall approve the transfer if it results in no greater traffic impact than the development allowed without the transfer.

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## V. Definitions

All words and phrases used in this North Newport Center PC shall have the same meaning and definition as used in the City of Newport Beach Municipal Code unless defined differently in this section.

**Architectural Features:** A visually prominent or formally significant element of a building which expressed its architectural language and style in a complementary fashion. Architectural features should be logical extensions of the massing, details, materials and color of the building which complement and celebrate its overall aesthetic character.

**Advisory Sign:** Any sign that contains directional or safety information; does not contain advertisements.

**Audible Signs:** Any sign that uses equipment to communicate a message with sound or music.

**Banks/Savings & Loans:** Establishments that provide a full range of retail banking and mortgage loan services to individuals and businesses. Includes only those institutions engaged in the on-site circulation of cash money. Also includes businesses offering check-cashing services. Drive-through or drive-up service included.

**Bars and Cocktail Lounges:** Establishments engaged in selling or serving alcoholic beverages for consumption on the premises or establishments having any of the following characteristics:

- Licensed as a “public premises” by the California Department of Alcoholic Beverage Control.
- Provides an area for serving alcoholic beverages that is operated during hours not corresponding to regular meal service hours. Food products sold or served incidentally to the sale or service of alcoholic beverages shall not be deemed as constituting regular food service.

**Building Elevation:** The exterior wall surface formed by one (1) side of the building.

**Building Height:** Building height is measured from the corresponding point on the roof to the exterior finished grade. If the building is on a sloping surface, the height measurement is taken from the building entrance. Exceptions include but are not limited to below grade parking structure entrances, motor courts, and retaining walls. See Graphic 1 on page 34.

**Business, Government and Professional:** Offices of firms, individuals or organizations that provide professional, executive, management or administrative services (e.g., architectural, engineering, government, insurance, investment, legal, planning). Includes administrative, clerical or public contact offices of a government agency, including incidental storage and maintenance of vehicles. Support retail and service uses also allowed.

**Carts and Kiosks:** Carts and kiosks are small, freestanding structures used for retail sales and services. Generally mobile in terms of ease of relocation, the structures can be seasonal, temporary or for a more permanent use.

**Commercial, Recreation and Entertainment:** Establishments providing participant or spectator recreation or entertainment, either indoors or outdoors, for a fee or admission charge. Illustrative examples of these uses include:

- arcades or electronic games centers having three or more coin-operated game machines
- bowling alleys
- billiard parlors
- cinemas
- ice/roller skating rinks
- live entertainment
- pool rooms
- tennis/racquetball courts
- theaters

**Cultural Institutions:** Public or private institutions that display or preserve objects of community, or cultural interest in one or more of the arts or sciences.

**Day Care:** Non-medical care and supervision of children or adults on a less than 24 hour basis, including nursery schools, preschools, and day care centers.

**Day Spas:** Establishments that specialize in the full complement of body care including, but not limited to, body wraps, facials, pedicures, make-up, hairstyling, nutrition, exercise, water treatments and massage which is open primarily during normal daytime business hours and without provisions for overnight accommodations.

**Department Store:** A store selling a wide variety of goods or services arranged in several departments.

**Eating and Drinking Establishments:** Establishments engaged in serving prepared food or beverages for consumption on or off the premises.

**Emergency Health Care:** Establishments that provide emergency medical service with no provision for continuing care on an inpatient basis.

**Entry Marker Sign:** Sign used to provide information on activities and events, as well as advertise stores and shops within a shopping center.

**Eye Level:** The height of 5 feet measured from grade.

**Freestanding Commercial:** Any building with a commercial use which is separated from other commercial uses by parking and/or streets.

**Internal Pedestrian Street:** Any walkway, path, plaza, arcade or corridor, either covered or open to the sky, which is primarily for use by people on foot and is not adjacent to the frontage road or common parking areas.

**Major Building:** A mall building over 50,000 square feet.

**Major Tenant:** A store or restaurant having a minimum of 10,000 square feet of floor space, which is located within or between other commercial buildings.

**Mall Building:** Retail buildings where stores front a pedestrian walkway, which may be enclosed or open.

**Medical Retail:** Sales of medical goods or services that are retail oriented. Illustrative examples of these uses include:

- eye exam, eyeglass/contact lens sales
- skin treatments
- body scanning
- dental enhancement treatments

**Minor Use Permit:** Use permit issued by the Planning Director.

**Monument Sign:** Any sign that is supported by its own structure and is not part of or attached to any building.

**Parking Structure:** Structures containing more than one story principally dedicated to parking. Parking structures may contain accessory, ancillary and resident support uses.

**Periphery Building:** Building located along the ring of Fashion Island adjacent to Newport Center Drive.

**Personal Improvement:** Includes those services that are personal and that promote the health and well-being of an individual.

**Personal Services:** Establishments that provide recurring services of a personal nature. Illustrative examples of these uses include:

- barber and beauty shops
- clothing rental shops
- dry cleaning pick up store with limited equipment
- dry cleaning with no on-site equipment
- home electronics and small appliance repair
- postal services
- locksmiths
- self-service laundries
- shoe repair shops
- tailors and seamstresses
- tanning salons
- printing & duplicating
- travel agencies/services
- nail salon

**Podium Level:** A superposed terrace conforming to a building's plan, a continuous pedestal; a level of vertical segregation linking separate areas.

**Primary Tenant:** The largest tenant of a building.

**Project Identification Sign:** A free-standing (single or double faced) monument sign containing the project name.

**Public Safety Facilities:** Police, fire, paramedic and emergency service facilities.

**Regional Commercial Gross Floor Area:** Refer to Section II.B.1 above.

**Residential:** An area within a structure on a parcel that contains separate or independent living facilities for one or more persons, with area or equipment for sleeping, sanitation or food preparation.

**Retail Sales:** Stores and shops which sell various lines of merchandise for profit. This includes the sales of non-durable and durable goods to customers. Illustrative examples of these stores and lines of merchandise include:

- antiques
- appliances
- artists supplies
- automotive accessories (no installation)
- animal sales and services
- bakeries
- bicycles
- books
- cameras and photographic supplies
- carpeting and floor covering
- clothing and accessories
- convenience markets/stores
- department stores
- drug and discount stores
- dry goods
- electronic equipment (including automotive installation)
- food and beverages
- gift shops
- handcrafted items
- hardware
- hobby materials
- jewelry
- real estate information center
- luggage and leather goods
- medical supplies and equipment
- musical instruments, parts and accessories
- office supplies
- paint and wallpaper
- pharmacies
- shoe stores
- specialty shops
- sporting goods and equipment
- supermarkets
- tobacco
- toys and games

**Rooftop Appurtenance:** Rooftop appurtenances include, but are not limited to, mechanical equipment, stairwell and elevator shaft housing, antennae, window washing equipment, and wireless communication facilities. See Graphic 1 on page 34.

**Secondary Tenant:** A small tenant; not the primary tenant of an office building.

**Senior Citizen Housing:** A residential development for senior citizens (i.e., persons 55 years of age or older) that has at least 35 dwelling units and conforms to Civil Code 51.3(b)(4).

**Service Tunnels:** A corridor limited to access for building supply and maintenance personnel and equipment including horizontal and vertical tunnels and shafts, and freight elevators, not intended for customer circulation or access, and not for use as storage or office space.

**Sign:** Any media, including their structure and component parts which are used or intended to be used out-of-doors to communicate information to the public.

**Sign Area:** The area enclosed by a rectangle drawn around the working, numbers or images composing the sign.

**Sign Face:** The physical plane and/or surface upon which the working or images are applied.

**Sign Letter:** The individual symbols of the alphabet used in forming the words of a message.

**Shopping Center Identification Sign:** A monument sign identifying a shopping center.

**Support Uses:** Uses within residential developments, offices and hotels, and parking structures designed, oriented, and intended to primarily serve building occupants. This includes uses such as dry cleaners, coffee vendors, and sundry shops. Such uses must be consistent with the pertinent regulations in Table 1.

**Tenant Sign:** Any permanent sign of an establishment that is located on or attached to the storefront elevation, a covered walkway, or an awning for the purpose of communicating the name of the tenant.

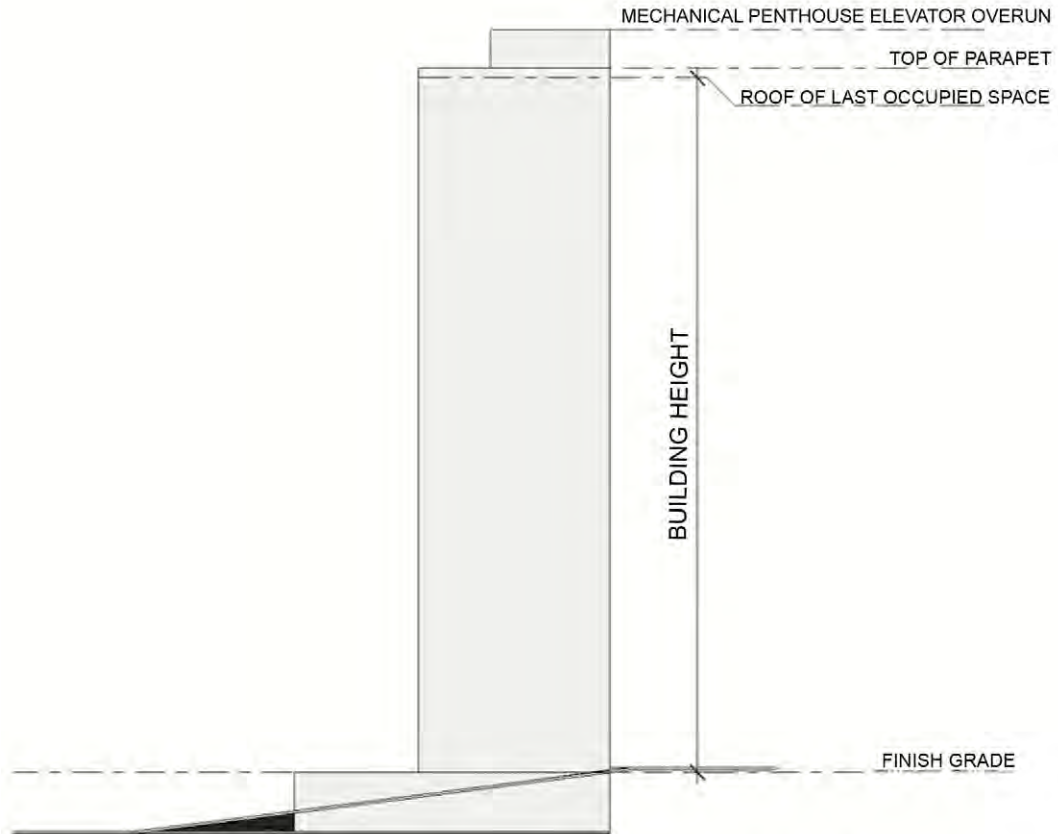
**Temporary Sign:** Any sign, banner, pennant, valance, or advertising display constructed of cloth, canvas, plywood, light fabric, cardboard, wallboard or other light materials, with or without frames, intended to be displayed for a limited period of time.

**Theater Sign:** Any permanent sign used to communicate to the public the name of a theater and the show(s) or movie(s) that are offered.

**Vehicle Entry:** Any intersection points along the public right-of-way that provide access for automobiles.

**Visitor Accommodations:** Establishments offering lodging rooms, including bed and breakfasts, inns, hotel, and motels. Incidental support facilities are included within these uses.

**Wind Sign:** A series of similar banners or objects of plastic or other light material more than 2 inches in diameter which are fastened together at intervals by wire, rope, cord, string or by any other means, designed to move and attract attention upon being subjected to pressure by wind or breeze.



NOTE: In no instance shall any part of the building, including rooftop appurtenances or architectural features, penetrate the FAA (Part 77) imaginary obstruction surface for John Wayne Airport.

Graphic 1, Example of Building Height and Rooftop Appurtenances

# NORTH NEWPORT CENTER

# DESIGN REGULATIONS

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## **I. Introduction**

### **A. Purpose of Design Regulations**

The Design Regulations expand upon the regulations set forth in the Planned Community Development Plan. The Design Regulations are intended to be used for reference by the City of Newport Beach as part of the plan review process. It is recognized that North Newport Center will be built and redeveloped over time and that not all regulations may be achieved nor are applicable for any given project.

All new commercial and residential development shall be subject to the North Newport Center Design Regulations. Review for compliance of projects under this section shall occur through the plan review process, as defined in the Development Plan, prior to building permit issuance.

### **B. Newport Center Design Framework**

Newport Center is a 600-acre master planned area. Development within Newport Center began in the 1960s and generally has followed the following guiding principles:

1. Strong physical urban design framework which provides structure and character yet allows flexibility
2. Synergistic mix of land uses, market driven to insure economic vitality
3. Balanced and dispersed auto access
4. Organized in “blocks” and districts to break down scale and provide identity
5. Pedestrian Orientation
6. Building massing that responds to topography, with taller buildings located along San Joaquin Hills Road
7. Unifying architectural and landscape character



Aerial view of bluff (circa 1960)

### Early Newport Center Planning Diagrams and Sketches (circa 1960)



The design regulations provide standards that govern future development so that, to the extent feasible, the initial design framework is carried forward and the design and development policies from the Land Use Element of the General Plan are implemented.

## General Plan Policies

### Newport Center

The following policies from the Land Use Element are for Newport Center as a whole. Development within North Newport Center should contribute toward the policies whenever possible.

- *Development Scale:* Reinforce the original design concept for Newport Center by concentrating the greatest building mass and height in the northeasterly section along San Joaquin Hills Road, where the natural topography is highest and progressively scaling down building mass and height to follow the lower elevations toward the southwesterly edge along East Coast Highway.
- *Urban Form:* Encourage that some new development be located and designed to orient to the inner side of Newport Center Drive, establishing physical and visual continuity that diminishes the dominance of surface parking lots and encourages pedestrian activity.
- *Pedestrian Connectivity and Amenity:* Encourage that pedestrian access and uses within the district be improved with additional walkways and streetscape amenities concurrent with the development of expanded and new uses.
- *Fashion Island Architecture and Streetscape:* Encourage that new development in Fashion Island complement and be of equivalent or higher design quality than existing buildings. Reinforce the existing promenades by encouraging retail expansion that enhances the storefront visibility to the promenades and provides an enjoyable retail and pedestrian experience. Additionally, new buildings shall be located on axes connecting Newport Center Drive with existing building to provide visual and physical connectivity with adjoining uses, where practical.

### Mixed-Use District and Neighborhood

The following policies from the Land Use Element are City-wide in orientation. Development within North Newport Center should contribute toward the policies whenever possible.

- *Mixed-Use Buildings:* Require that Mixed-Use buildings be designed to convey a high level of architectural and landscape quality and ensure compatibility among their uses in consideration of the following principles:
  - Design and incorporation of building materials and features to avoid conflicts among uses, such as noise, vibration, lighting, odors, and similar impacts
  - Visual and physical integration of residential and non-residential uses
  - Architectural treatment of building elevation and modulation of their massing
  - Separate and well-defined entries for residential units and non-residential businesses
  - Design of parking areas and facilities for architectural consistency and integration among uses
  - Incorporation of extensive landscape appropriate to its location; urbanized streetscapes, for example, would require less landscape along the street

frontages but integrate landscape into interior courtyards and common open spaces

- *Mixed-Use Building Location and Size of Non-Residential Uses:* Require that 100 percent of the ground floor street frontage of Mixed-Use buildings be occupied by retail and other compatible non-residential uses, unless specified otherwise by policies for a district or corridor.
- *Parcels Integrating Residential and Non-Residential Uses:* Require that properties developed with a mix of residential and non-residential uses be designed to achieve high levels of architectural quality in accordance with policies related to the character and quality of multi-family residential and the architecture and site design of commercial districts, be planned to assure compatibility among the uses, and provide adequate circulation and parking. Residential uses should be seamlessly integrated with non-residential uses through architecture, pedestrian walkways, and landscape. They should not be completely isolated by walls or other design elements.
- *Districts Integrating Residential and Non-Residential Uses:* Require that sufficient acreage be developed for an individual use located in a district containing a mix of residential and non-residential uses to prevent fragmentation and assure each use's viability, quality, and compatibility with adjoining uses.



Aerial of Newport Center – 2007

### C. North Newport Center

North Newport Center consists of properties on the higher elevations of Newport Center between San Joaquin Hills Road and the Newport Center ring road (Blocks 400, 500, 600 and 800 and San Joaquin Plaza), as well as the core of Newport Center, Fashion Island, and Block 100.

To the northeast is San Joaquin Hills Road, a wide boulevard on the ridge that forms the upper edge of Newport Center. To the south and southeast are office buildings, movie theaters, restaurants, service retail, the Newport Transportation Center, the Newport Beach Central Library, and Corona del Mar Plaza, a community retail center. Adjacent uses within Newport Center are office buildings, an apartment community, a resort hotel, art museum, police station, fire station, auto dealership, service station, and the Newport Beach County Club.

North Newport Center is a mixed-use district that features an open-air regional shopping center, Fashion Island; a resort hotel; and a variety of office buildings that help form the skyline of Newport Beach; connected by a network of tree-lined streets and sidewalks, within a master planned environment featuring a consistent landscape.

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## II. Design Regulations

### Using these Regulations

These regulations are intended to be used in conjunction with other applicable codes, documents, and ordinances to assess compliance of proposed projects. Each category of regulations begins with the intent, which describes the overall character that is envisioned and what objectives are necessary to attain the desired effect.

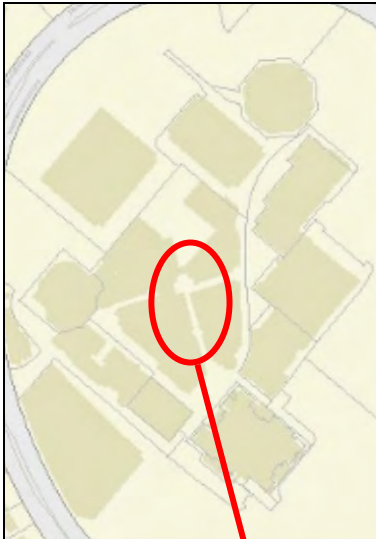
### A. Building Location and Massing

#### Intent

The intent of the building massing and location standards is to ensure that new development has an appropriate scale, is related to its use and location, and is properly integrated with adjoining land uses and features.

#### 1. Site Planning Elements

- a. New commercial and residential buildings should respect the existing urban form, which generally consists of buildings that are organized orthogonally to create pedestrian-friendly courtyards and promenades that visually link the buildings into clusters, as seen in the diagrams below.



Pedestrian promenade at  
Fashion Island



Pedestrian courtyard at  
550 Newport Center Drive



Building interface at  
San Joaquin Plaza

- b. In Mixed-Use sub-areas, the development of a complex of buildings is preferable to a single large structure because the varied massing provides visual interest and a human scale. Additionally, the spaces created between the various buildings provide opportunities for pedestrian plazas, courtyards and other outdoor gathering areas.
- c. New buildings should be oriented to and have features which reinforce and enhance the existing pedestrian experience. Mixed-Use sub-areas should emphasize pedestrian orientation by utilizing features such as plazas, courtyards, interior walkways, trellises, seating, fountains and other similar elements.
- d. New retail buildings should be located to enhance tenant visibility and identity, while maintaining compatible relationships with adjacent structures and street frontages.
- e. New buildings should be arranged to provide convenient access to entrances and efficient on-site circulation for vehicles and pedestrians. Projects should develop a comprehensive open space network that uses plazas and other open space elements to connect uses. Open space areas and the paths that link them should facilitate the integration of adjacent land uses on the site.
- f. New buildings with a strong street presence are encouraged in Fashion Island.
- g. Residential development shall provide common outdoor open space areas for residents. These areas should be configured and designed so as to address privacy for residential uses while also providing linkages to the public open space components of the project.
- h. Planning and developing shared facilities such as driveways, parking areas, pedestrian plazas and walkways, with adjoining properties, including those outside of the North Newport Center Development Plan, is strongly encouraged.



Example of resident open space



Example of office courtyard

## **2. Building Envelope**

- a. New buildings should respect the existing development scale, which generally consists of high-rise buildings (10+ stories) clustered along the northerly section at the highest point in Newport Center. Mid-rise office buildings (5-10 stories), low-rise office buildings, and retail development are generally located at lower elevations towards Pacific Coast Highway.

## **3. Building Character and Style**

- a. The character and style of new buildings located in Fashion Island should be compatible with the classically inspired architecture of the existing buildings in Fashion Island. The character and style of new commercial and residential buildings located in the mixed-use sub-areas should be compatible with the existing contemporary architecture or the classically inspired architecture of the existing buildings.
- b. New buildings within Fashion Island should continue and enhance the existing pedestrian experience by promoting storefront visibility.
- c. New buildings should reflect a timeless architecture with straightforward geometry, a unified composition, the expression of floor levels and structure, and solid parapets. Trendy, short-lived, idiosyncratic architectural styles are not appropriate; although retail storefronts may reflect the design theme of the merchant.
- d. The top of all roof-mounted equipment and communications devices should be below the building parapet or equipment screens in a manner that hides them from the street. The height of rooftop appurtenances shall not exceed the height of the screening.
- e. Ground level equipment, refuse collection areas, storage tanks and infrastructure equipment should be screened from public right-of-ways views with dense landscaping and/or walls of materials and finishes compatible with adjacent buildings.
- f. Above grade equipment, including backflow preventers at domestic water meters, irrigation controllers, and cable television pedestals should not be visible from public right-of-ways, when feasible.
- g. Chain link fencing is not allowed, except to screen construction areas.
- h. Avoid long, continuous blank walls, by incorporating a variety of materials and design treatments and/or modulating and articulating elevations to promote visual interest.
- i. Architectural features should accomplish the architectural goal of extending the design elements of the building.
- j. New buildings on sites with sloping surfaces should be encouraged to utilize the existing terrain. Entrances to motor courts and parking structures are not included in the measurement of building height.



Example of appropriate high-rise architecture



Example of straight forward geometry and expression of floor levels



Examples of classically inspired architecture



Example of appropriate low-rise form



Example of retail storefront visibility to pedestrians

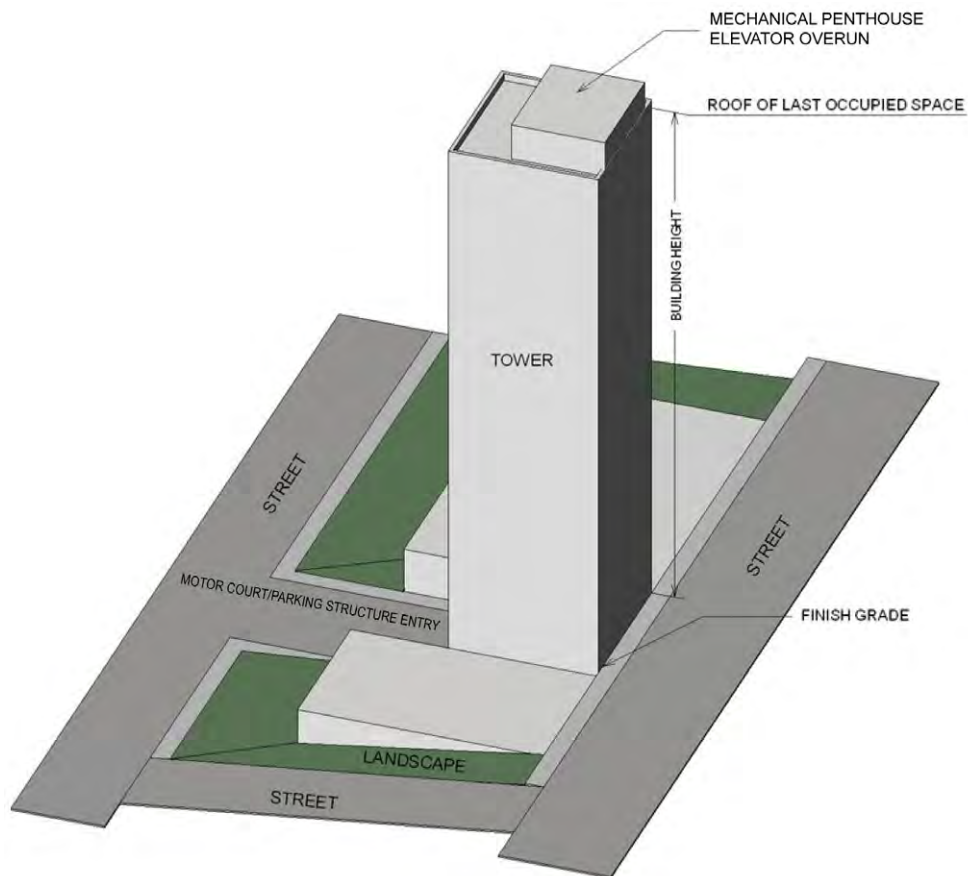




Example of architectural feature



Example of architectural feature



Example of building height measurement on sloping terrain

#### 4. Building Materials and Colors

- a. Colors, materials, and finishes should be coordinated on all exterior elevations to achieve continuity of design. Stripes and patterns are not appropriate; although retail storefronts may reflect the design theme of the merchant.
- b. Clay tile, concrete tile, metal, and fabric are acceptable materials for low- and mid-rise roofs.
- c. Stone, metal, exterior plaster, exterior insulated finishing systems (EIFS), brick, concrete, wood, and glass are acceptable materials for building walls.
- d. Stone, metal, exterior plaster, exterior insulated finishing systems (EIFS), brick, concrete, wood, and glass are acceptable materials for railings.
- e. Service door and mechanical screen colors should be the same as, or compatible to, the adjacent wall colors.



Example of appropriate retail finishes



Example of appropriate low-rise finishes

#### 5. Parking Structures

- a. The architecture of new parking structures should be compatible, complementary, and secondary to principal buildings.
- b. The design of new parking structures in Fashion Island shall incorporate elements (including landscaping) to soften their visual impact.
- c. New parking structures in Fashion Island shall be located and designed in a manner that is compatible with the existing pedestrian scale and open feeling of Newport Center Drive.
- d. Simple, regular forms are encouraged.
- e. Views of parked vehicles should be screened.
- f. The visual appearance of sloping floors should be minimized.
- g. Interiors should be designed to promote a safe vehicular and pedestrian experience.

- h. Vehicular entries for non-residential parking structures should be obvious and inviting.
- i. Vehicular entries to exclusively residential structures should be incorporated into the structure so as to minimize the street presence of the parking structure entrance and to avoid interrupting the continuity of the street facing building elevations.



Block 600 parking structure demonstrating rectangular form and vines to soften visual impact



West parking structure at Fashion Island demonstrating rectangular form and varied landscape to soften visual impact

## **B. Landscape**

### **Intent**

The intent of the landscape standards is to ensure that new commercial and residential development preserves and enhances the existing landscape character of North Newport Center.

#### **1. Overall Landscape**

- a. New development should promote an evergreen plant palette that is appropriate in the Mediterranean climate of Southern California. Plant materials should be of a native or drought-tolerant species where appropriate and provide variety, while being consistent with the existing landscape pattern and architectural design of the building.
- b. Landscape and site design will incorporate Best Management Practices (BMPs) to address low-flow runoff and storm water runoff. Landscaped areas within the project will be provided and used to treat runoff from impervious surfaces and roof drains prior to being discharged into the storm drain system.
- c. The landscape palette should consist of two distinct groups of plant materials:
  - Accent planting, including palms, cypress, and color accents
  - Background planting, including evergreen canopy trees and shrubs
- d. The overall landscape should be dominated by background planting with accent planting in key areas corresponding to the land use and development intensity.



- e. Planting should be organized in layers of plant size and variety such as flowering, cascading, or climbing plants. Contrasts in color and texture should be used to enhance the layering of plants.



Example of appropriate landscape variety complementing the building form



Example of layering principles



Example of vertical and horizontal plant forms

## 2. Perimeter and Street Landscape

- a. The landscape on the perimeter of sub-areas and along streets of new commercial and residential development should complement the street tree pattern, enhance the pedestrian experience, screen parked vehicles, and soften the view of parking structures.
- b. Existing trees along public streets should be preserved, and new trees should be installed to fill in gaps.
- c. Evergreen hedges should be used to screen the lower portions of parked cars.
- d. Evergreen planting should be used to screen parking structures.





Newport Center Drive landscape variety



San Nicolas landscape showing screening of parked cars



San Joaquin Hills Road landscape



Landscape adjacent to 888 San Clemente parking structure

### 3. Parking Lot Landscape

- a. New surface parking lots should have evergreen canopy trees to provide shade.
- b. A uniform evergreen tree type should be used for parking lot fields, with a different uniform evergreen tree type used to highlight the major parking aisles.
- c. Evergreen hedges should be used to screen parked cars.



Fashion Island parking lot tree placement



San Joaquin Plaza evergreen hedges that screen parked cars

#### 4. Internal Landscape

- a. New courtyards and promenades should continue the existing pedestrian experience by promoting visual continuity, shade and an evergreen landscape.
- b. Trees should be installed to shade appropriate walkways and cause an interesting and varied pedestrian experience.



Example of trees adding variety to pedestrian experience



Example of landscaping creating strong visual continuity

### C. Circulation

#### Intent

The intent of the circulation criteria is to ensure that new commercial and residential development enhances existing circulation patterns by maintaining existing, upgrading existing and providing new street and walkway connections.

#### 1. Streets and Pedestrian Activity

- a. New development should preserve and enhance the existing attractive street scene, promote safe and convenient driving practices, and encourage street level pedestrian activity.



- b. All buildings should be publicly accessible via a path or walkway from a public sidewalk.
- c. The crescent walk linking Block 400, Block 500 and Block 600 along Newport Center Drive and pedestrian connections to/in Fashion Island should be preserved and enhanced where feasible. Connections from the crescent walk into courtyards, plazas, and other gathering areas in Block 400, Block 500 and Block 600 should be provided where possible.
- d. Each sub-area should demonstrate an internal pedestrian network of walks and paseos that connect to the larger Newport Center pedestrian system.
- e. Strong pedestrian connectivity, reinforced by protected walkways and landscaping, should occur between Newport Center Drive and the retail core of Fashion Island.
- f. Amenities such as benches, plazas and other pedestrian-oriented facilities should be provided at pedestrian destinations.
- g. To promote the vitality of the public street scene, pedestrian bridges and tunnels which remove pedestrians from the street level are not allowed.
- h. New benches, street trees, directional signs, trash receptacles, and exterior lighting are encouraged in the public right-of-ways to reinforce pedestrian activity.
- i. Enhanced paving in crosswalks to highlight pedestrian pathways is allowed if it is compatible with the character of the existing development.



Pedestrian walkway from Newport Center Drive to Fashion Island



Example of pedestrian amenities



Example of pedestrian connectivity to the street (between 500 and 550 Newport Center Drive)



Example of the crescent walk design framework



Pedestrian amenities in Fashion Island



Example of pedestrian oriented enhancement



Pedestrian amenity in Fashion Island



Storefront interface with pedestrians

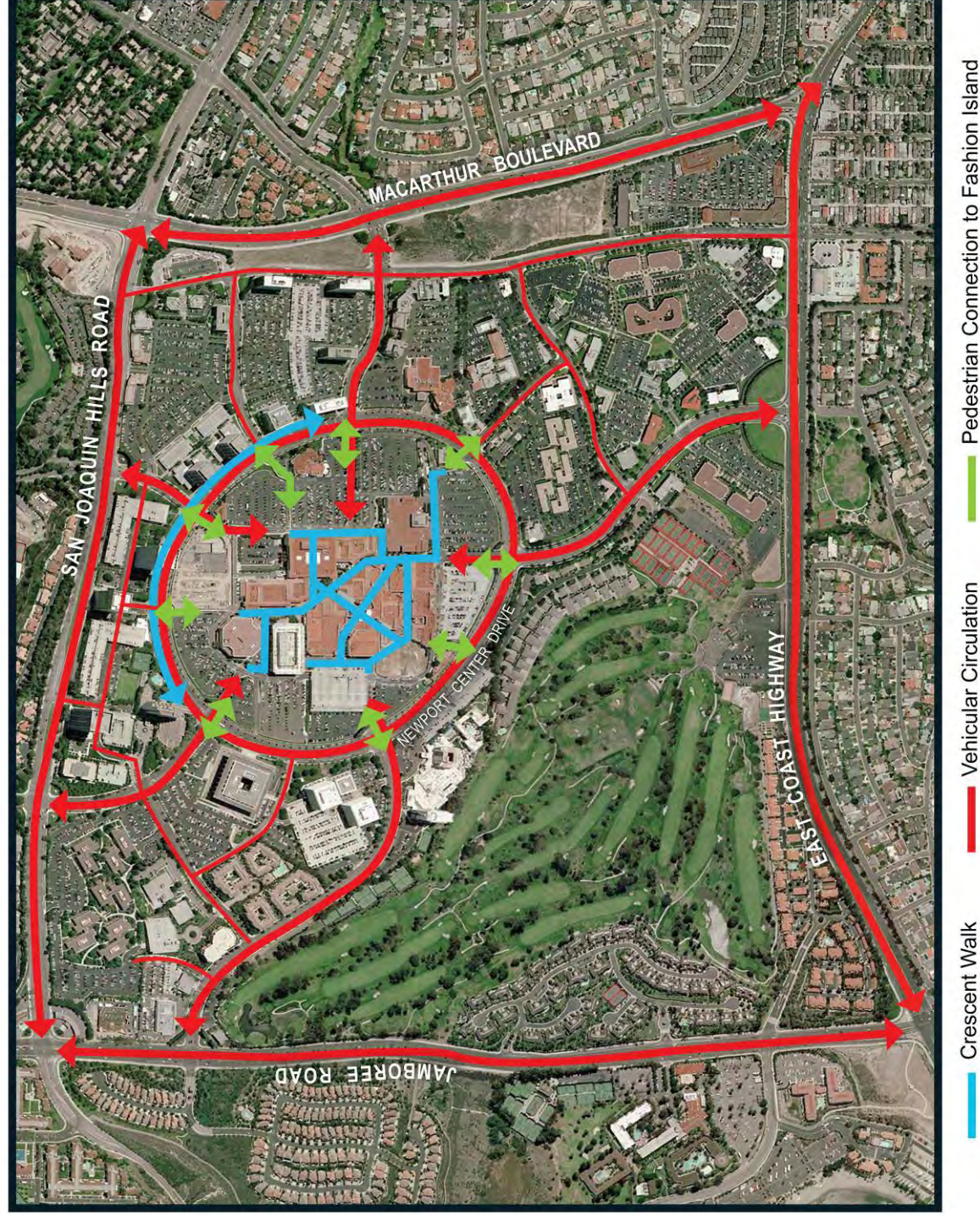


Example of a strong pedestrian pathway



Fashion Island paseo

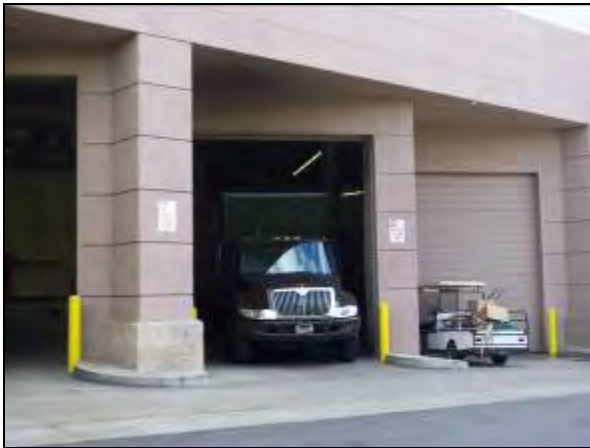






## 2. Service and Emergency

- a. New commercial and residential development should promote efficient circulation for service and emergency vehicles.
- b. Major loading docks should be located away from front doors and from residential areas to separate service traffic from other traffic.
- c. Loading bays should be designed to minimize their visual prominence and any interference with pedestrian and vehicular flows.
- d. Turf-block may be used in landscape areas where fire access is necessary.
- e. Truncated domes should be a contrasting color, other than yellow, and should be coordinated with the paving material unless otherwise required by federal or state standards.



Fashion Island loading dock



Fashion Island loading dock

### 3. Parking Lots

- a. Parking areas should not create a separation between adjacent land uses and buildings.
- b. Parking lots at new development should promote efficient circulation for vehicles and pedestrians.
- c. Convenient, well marked and attractive pedestrian access should be provided from parking lots to buildings.
- d. The use of permeable surfaces is encouraged.



Pedestrian entrance from surface parking at 680 Newport Center Drive demonstrating flow from parking to building



Well-defined pedestrian walkway in 500/550 Newport Center Drive parking lot



Well-defined walkway from Newport Center Drive into Fashion Island at San Nicolas

## D. Orientation and Identity

### Intent

The intent of the standards for orientation, identity, and safety is to ensure that new commercial and residential development promotes wayfinding for residents and visitors, strengthens North Newport Center's sense of place, and produces a safe environment.

### 1. Gateways and Entrances

- a. New development should respect existing entries and, if entry modifications are required, should integrate with the existing vehicular and pedestrian circulation system.
- b. Key landscape elements at the “landscape corners” should be retained.



San Joaquin Hills Road and Jamboree Road



San Joaquin Hills Road and MacArthur



San Joaquin Hills Road and Santa Cruz



San Joaquin Hills Road and Santa Cruz



## 2. View Corridors

- a. New development should preserve views of major retail tenants in Fashion Island from Newport Center Drive.
- b. New development should capture views of the ocean from windows and decks at new restaurants, offices, and residences, where feasible.



Fashion Island major tenant visibility



Fashion Island major tenant visibility



Balconies at 888 San Clemente featuring ocean views

### 3. Landmarks

- a. As appropriate, major new development may be positioned and designed to serve as a landmark within North Newport Center.
- b. Landmark elements may be included in building design to distinguish individual buildings and enhance wayfinding.



The Island Hotel as a landmark building



Wind chime as a landmark at Macy's



Palms as a landmark at the southern entry into Fashion Island

#### 4. Signage

- a. New development should have signs that promote identity and wayfinding.
- b. Signs should be designed to clearly communicate their messages.
- c. Signs should be designed to complement the architecture and landscape.
- d. Identification signs should be designed to convey the image of the project or business.
- e. Wayfinding signs should be unified within each sub-area.
- f. Simplicity and legibility are encouraged.
- g. Ample blank space around sign copy is encouraged.
- h. Animated signs visible from public streets are not allowed unless otherwise permitted by the Municipal Code.
- i. Signs may be internally-illuminated, halo-illuminated, externally illuminated, or non-illuminated.
- j. Sign types A-K and their corresponding locations are shown on the following pages.



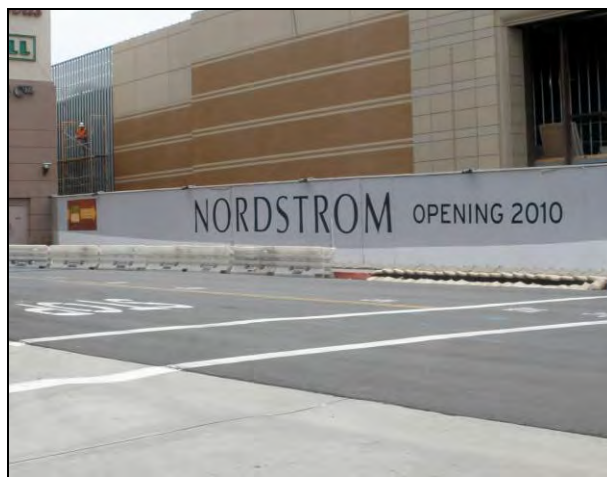
Project identification sign



Business identification sign



Directional sign



Temporary signs mounted on construction fence



## Sign A – Large Cube or Blade Sign



**Sign A1**

Sign: 13'-0" high; 12'-2" wide  
Letters: 15 inches high max.



**Sign A2**

Sign: 11'-0" high; 12'-2" wide  
Letters: 15 inches high max.  
Symbol: 22 inches high



**Sign A3**

Sign: 11'-0" high; 12'-2" wide  
Letters: 15 inches high max.  
Symbol: 22 inches high



**Sign A4**

Sign: 11'-0" high; 12'-2" wide  
Letters: 15 inches high max.  
Symbol: 22 inches high



**Sign A5**

Sign: 11'-0" high; 12'-2" wide  
Letters: 15 inches high max.  
Symbol: 22 inches high



**Sign A6**

Sign: 13'-0" high; 12'-2" wide  
Letters: 15 inches high max. (est)

Existing Signs  
Block 100, 400, 500, 600, 800; and San Joaquin Plaza  
North Newport Center



## Sign B – Small Cube



**Sign B1**

Sign: 5'-0" high; 5'-0" wide  
Letters: 9 inches high



**Sign B2**

Sign: 5'-0" high; 5'-0" wide  
Letters: 5 inches high max.  
Numerals: 24 inches high max.



**Sign B3**

Sign: 5'-0" high; 5'-0" wide  
Letters: 5 inches high max.  
Numerals: 24 inches high max.



**Sign B4**

Sign: 5'-0" high; 5'-0" wide  
Letters: 5 inches high max.  
Numerals: 24 inches high max.



**Sign B5**

Sign: 5'-0" high; 5'-0" wide  
Letters: 5 inches high max.  
Numerals: 24 inches high max.



**Sign B6**

Sign: 5'-0" high; 5'-0" wide  
Letters: 5 inches high max.  
Numerals: 24 inches high max.



**Sign B7**

Sign: 5'-0" high; 5'-0" wide  
Letters: 5 inches high max.  
Numerals: 24 inches high max.



**Sign B8**

Sign: 5'-0" high; 5'-0" wide  
Letters: 5 inches high max.  
Numerals: 24 inches high max.

Existing Signs  
Block 100, 400, 500, 600, 800; and San Joaquin Plaza  
North Newport Center



## Sign C - Freestanding Signs



**Sign C1**  
Sign: 6'-6" high; 15'-4" wide  
Letters: 13 inches high max.  
Symbol: 18 inches high



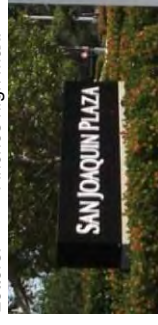
**Sign C2**  
Sign: 4'-4" high; 9'-3" wide  
Letters: 11 inches high max.



**Sign C3**  
Sign: 4'-2" high; 7'-0" wide  
Letters: 4 inches high max.



**Sign C4**  
Sign: 5'-3" high; 11'-0" wide  
Letters: 11 inches high



**Sign C5**  
Sign: 4'-9" high; 12'-0" wide  
Letters: 12 inches high



**Sign C6**  
Sign: 5'-3" high; 11'-0" wide  
Letters: 11 inches high



**Sign C7**  
Sign: 5'-3" high; 11'-0" wide  
Letters: 11 inches high



**Sign C8**  
Sign: 6'-10" high; 6'-0" wide  
Letters: 5 inches high max.  
Numerals: 11 inches high max.



**Sign C9**  
Sign: 6'-2" high; 20'-6" wide  
Letters: 17 inches high max.



**Sign C10**  
Sign: 4'-2" high; 5'-0" wide  
Letters: 6 inches high max.  
Symbol: 13 inches high max.



**Sign C11**  
Sign: 4'-4" high; 9'-6" wide  
Letters: 10 inches high max.



**Sign C12**  
Sign: 4'-4" high; 9'-6" wide  
Letters: 10 inches high max.



**Sign C13**  
Sign: 4'-4" high; 9'-6" wide  
Letters: 10 inches high max.



**Sign C14**  
Sign: 9' high; 4'-9" wide  
Letters: 6 inches high max



**Sign C15**  
Sign: 9' high; 4'-9" wide  
Letters: 6 inches high max



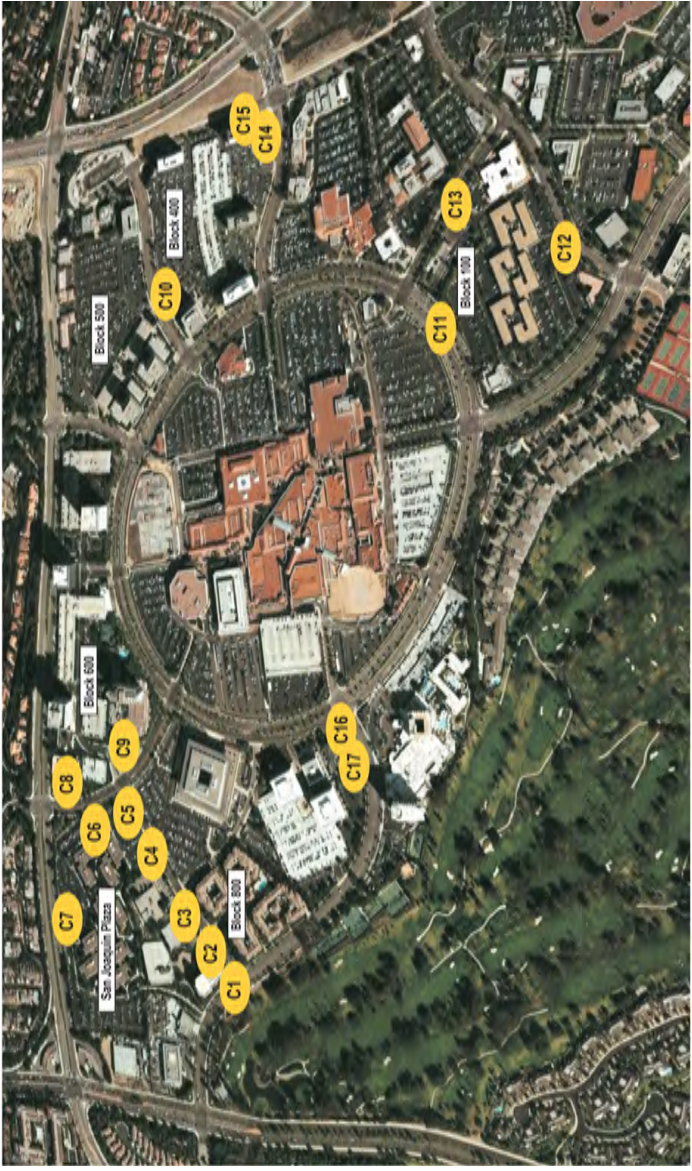
**Sign C16**  
Sign: 5' high; 25' wide  
Letters: 14 inches high max.  
Symbol: 24 inches high max.



**Sign C17**  
Sign: 9' high; 4'-9" wide  
Letters: 6 inches high max



**Sign C - Freestanding Signs (continued)**



**Sign C17**  
**Sign:** 3'-5" high; 5' wide  
**Letters:** 20 inches high max

Existing Signs  
Block 100, 400, 500, 600, 800; and  
San Joaquin Plaza  
North Newport Center



## Sign D – Landscape Walls



**Sign D1**

Letters: 37 inches high max.



**Sign D2**

Letters: 35 inches high max.



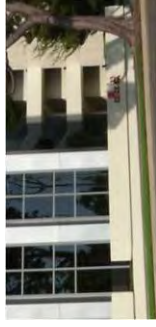
**Sign D3**

Letters: 35 inches high max.



**Sign D4**

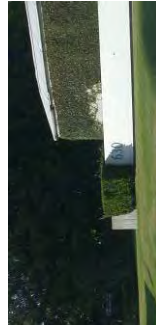
Letters: 15 inches high max.



**Sign D5 location**



**Sign D6 location**



**Sign D7 location**



**Sign D8**

Letters: 15 inches high max.



**Sign D9 location**



**Sign D11**

Letters: 18 inches high max.  
Symbol: 26 inches high



**Sign D12**

Letters: 11 inches high  
Numerals: 12 inches high



**Sign D13**

Letters: [40 inches high](#)

Existing Signs  
Block 100, 400, 500, 600, 800; and San Joaquin Plaza  
North Newport Center



## Sign E – Building Sign

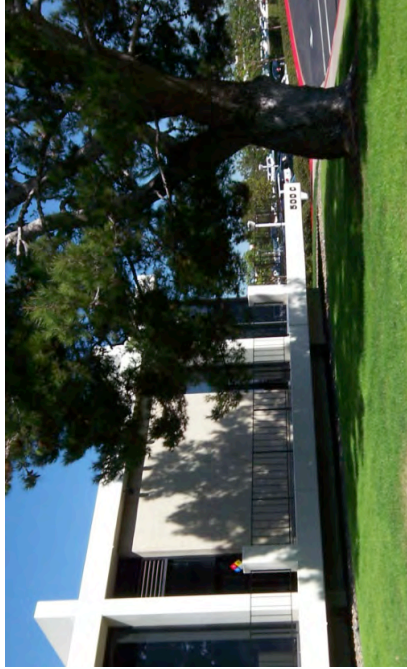


**Sign E\***  
Sign: Mounted directly on building face  
Letters: 24 inches – primary tenant  
16 inches – secondary tenant



**Sign E\***  
Sign: [Sign on Awning at entrance to restaurant](#)  
Letters: 36 inches high

## Sign F – Building Address



**Sign F\***  
Sign: Mounted directly on building face  
Letters: 24 inches

\* Photographs of sign types E and F provided for reference purposes. A full inventory of those signs is not provided herein.

## Sign G – Freestanding Building Address



**Sign G1**  
Sign:  
Letters:  
Numerals

8'-0" high; 6'-0" wide  
5 inches high max.  
28 inches high



**Sign G2**  
Sign:  
Letters:  
Numerals

8'-0" high; 6'-0" wide  
5 inches high max.  
28 inches high

Existing Signs  
Block 100, 400, 500, 600, 800; and San Joaquin Plaza  
North Newport Center



### Sign H – Advisory Signs



Sign H\*  
Sign: 6 feet high

### Sign I – Drive Through Signs



Sign I\*  
Sign: 8 feet wide  
Letters: 15 inches high

\* Photographs of sign types H and I provided for reference purposes. A full inventory of these signs is not provided herein.

## Sign J – Apartment Leasing Signs



Existing Signs  
Block 100, 400, 500, 600, 800; and San Joaquin Plaza  
North Newport Center



**Sign J1**  
Sign panel: 4'-0" high; 3'-0" wide (est.)  
Letters: 6 inches high max. (est.)



**Sign J2**  
Sign panel: 4'-0" high; 3'-0" wide (est.)  
Letters: 6 inches high max. (est.)



## Sign K – Office Leasing



**Sign K1**

Sign: 5'-0" high; 5'-0" wide  
Letters: 7 inches high  
Numerals: 6.5 inches high



**Sign K2**

Sign: 5'-0" high; 5'-0" wide  
Letters: 7 inches high  
Numerals: 6.5 inches high



**Sign K3**

Sign: 5'-0" high; 5'-0" wide  
Letters: 7 inches high  
Numerals: 6.5 inches high



**Sign K4**

Sign: 5'-0" high; 5'-0" wide  
Letters: 7 inches high  
Numerals: 6.5 inches high



**Sign K5**

Sign: 5'-0" high; 5'-0" wide  
Letters: 7 inches high  
Numerals: 6.5 inches high

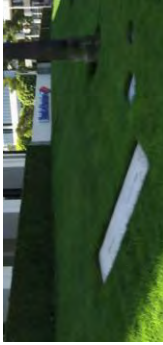


**Sign K6 location**



**Sign K9**

Sign: 5'-0" high; 5'-0" wide  
Letters: 7 inches high  
Numerals: 6.5 inches high



**Sign K8 location**



**Sign K7**

Sign: 5'-0" high; 5'-0" wide  
Letters: 7 inches high  
Numerals: 6.5 inches high



**Sign K11**

Sign: 5'-0" high; 5'-0" wide  
Letters: 7 inches high  
Numerals: 6.5 inches high

[Sign K12 is similar to K11](#)  
[Sign K13 is similar to K11](#)

Existing Signs  
Block 100, 400, 500, 600, 800; and San Joaquin Plaza  
North Newport Center

## 5. Lighting

- a. The exterior lighting at new commercial and residential development should be compatible with and enhance the existing lighting of the sub-area.
- b. Light fixtures at walkways and parking lots should be coordinated in height, color, and style.
- c. Light fixtures should not cast off-site glare.
- d. Building walls may be illuminated by downlights and uplights; light sources should not be visible from public view.
- e. Tops of buildings may be highlighted with bands of light.
- f. Utilitarian light fixtures, such as floodlights and wallpacks, may only be used in service areas.
- g. Low sodium lighting is not allowed.
- h. ATM lighting shall conform to state code without causing offsite glare, such as through the use of bollards, tree lights, pole lights, and soffit lights, rather than floodlights and wallpacks.
- i. In pedestrian areas such as courtyards, plazas, and walkways, lighting fixtures should be pedestrian scale.



Appropriate light bollard at Block 600



Non-glare producing lights at 888 San Clemente

## **Attachment No. PC 3**

Landscape wall sign example



10-0326

J B 3 D  
Architectural Graphics & Branding

731 N. Main Street • Orange, California 92868  
714.744.2300 • 714.744.8061 fax • jb3d.com



REVISIONS:

500 & 550 NEWPORT CENTER DR

NEWPORT BEACH, CA

CLIENT  
CUESTA CONST.

DATE  
10.8.10

CONTACT  
KOLIN REESE

JOB #  
10-0326

DRAWING TITLE  
HEDGE WALL SIGNAGE

SCALE  
NTS

DESIGNER  
JW

SHEET #  
2A.1.0

The following drawings, specifications, ideas, designs, and arrangements represented thereby, are and shall remain the property of the designer, and no part thereof shall be copied, disclosed to others or used in connection with any work or project other than the specified project for which they have been prepared and developed without the written consent of the designer. Visual contact with these plans or specifications shall constitute conclusive evidence of acceptance of these restrictions.

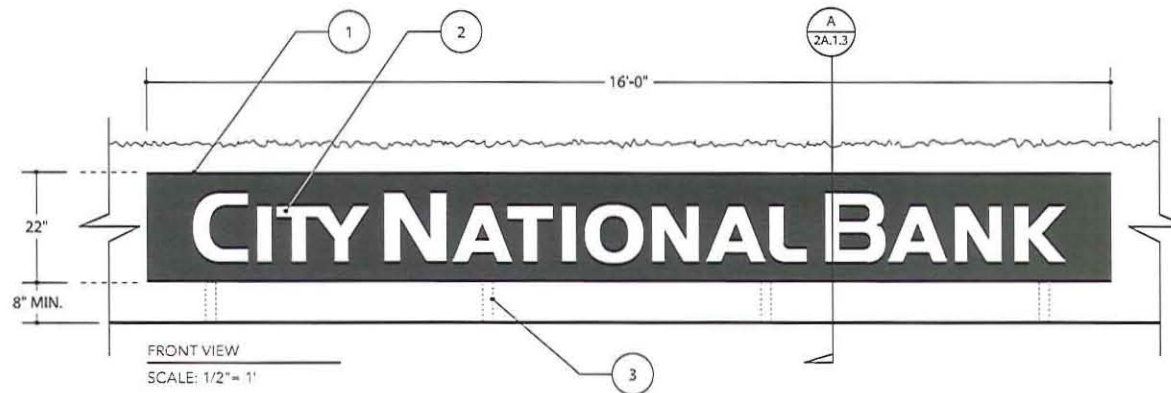
PIW/ IRVINE CO/ 450 NEWPORT CENTER DR/ 10-0326 HEDGE WALL SIGNAGE/ OK DWGS/ 500&550 HEDGE WALL SIGNAGE.A1



10-0326

J B 3 D  
Architectural Graphics & Branding

731 N. Main Street • Orange, California 92868  
714.744.2300 • 714.744.8061 fax • jb3d.com



## DESIGN NOTES:

1. 2" DEEP FABRICATED 1/8" ALUMINUM PANEL PAINTED MATTHEWS MP30132 "JET BLACK". ATTACHED TO METAL SIGN FRAME / SUPPORTS AS REQUIRED.
2. 1 1/2" DEEP FABRICATED 1/8" ALUMINUM LETTERS PAINTED MATTHEWS MP11477 "NATURAL WHITE".
3. 2"X2" ALUMINUM SUPPORT PAINTED MATTHEWS MP30132 "JET BLACK". SUPPORT LEGS TO BE HIDDEN IN HEDGE & EMBEDDED IN CONCRETE, FOOTINGS AS REQUIRED.

**EXISTING HEDGE TO BE REMOVED BY LANDSCAPER AS REQUIRED TO MINIMIZE & PREVENT DAMAGE TO ROOT BALL**

**JB3D TO MEET LANDSCAPE CONTRACTOR & G.C. ON SITE PRIOR TO FABRICATION TO DETERMINE EXACT PLACEMENT**



## REVISIONS:

500 & 550 NEWPORT CENTER DR  
NEWPORT BEACH, CA

CLIENT  
CUESTA CONST.

DATE  
10.8.10

CONTACT  
KOLIN REESE

JOB #  
10-0326

DRAWING TITLE  
S2A.1.1 - CITY NATIONAL BANK

SCALE  
NOTED

DESIGNER  
JW

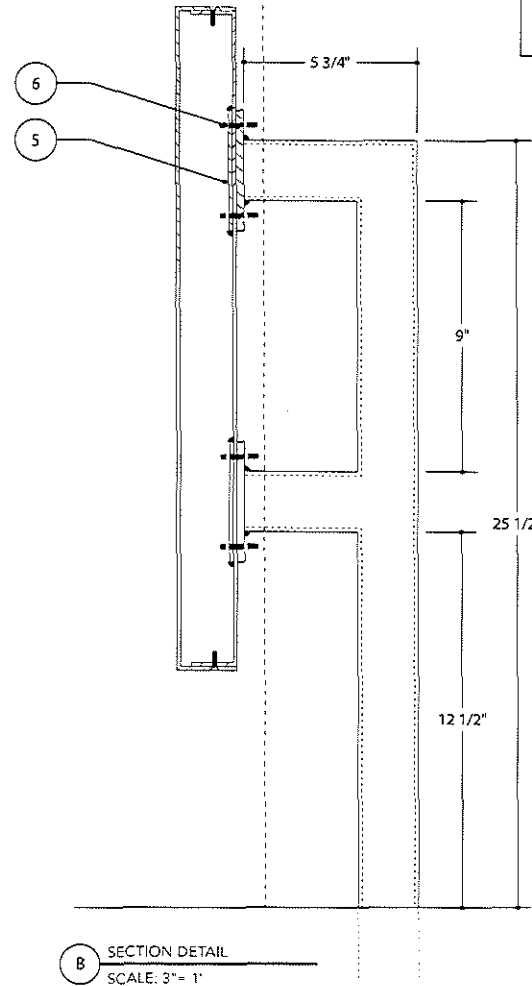
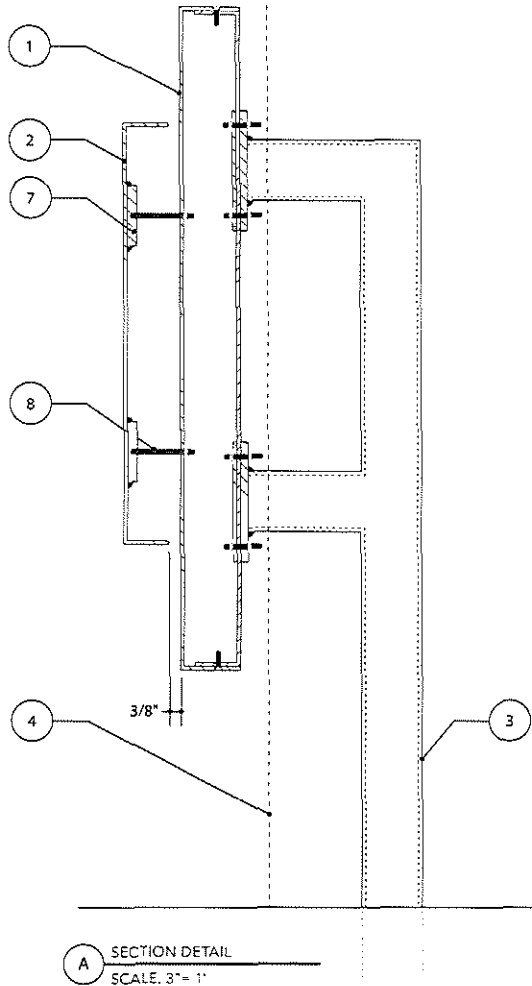
SHEET #  
2A.1.1

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10-0326

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714.744.2300 • 714.744.8061 fax • jbd.com



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4. EXISTING HEDGE TO BE REMOVED BY LANDSCAPER AS REQUIRED TO MINIMIZE & PREVENT DAMAGE TO ROOT BALL
5. 1/4" THICK ALUMINUM PLATE FOR MOUNTING, WELDED TO FRAME & PANEL
6. THROUGH BOLTS FOR ATTACHMENT
7. 1/4" ALUMINUM BLOCK, AS REQUIRED
8. 10/24 THREADED STUD, MINIMUM 4 PER LETTER

REVISIONS:

500 & 550 NEWPORT CENTER DR

NEWPORT BEACH, CA

CLIENT  
CUESTA CONST.

DATE  
10.8.10

CONTACT  
KOLIN REESE

JOB #  
10-0326

DRAWING TITLE  
CITY NATIONAL BANK

SCALE  
NOTED

DESIGNER  
JW

SHEET #  
2A.1.3

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